



# A G E N D A

## **IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY**



**MAY 4, 2010**

**Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932**

**CLOSED SESSION MEETING – 5:15 P.M.  
REGULAR MEETING – 6:00 P.M.**

**THE CITY COUNCIL ALSO SITS AS THE CITY OF IMPERIAL BEACH REDEVELOPMENT AGENCY,  
PLANNING COMMISSION, AND PUBLIC FINANCING AUTHORITY**

The City of Imperial Beach is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at City Council meetings, please contact the City Clerk's Office at (619) 423-8301, as far in advance of the meeting as possible.

### **CLOSED SESSION CALL TO ORDER BY MAYOR**

### **ROLL CALL BY CITY CLERK**

### **CLOSED SESSION**

#### **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code Section 54957:

Title: City Attorney

#### **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

Property: Unimproved site of 1.15 acres with a paved Class I bike path,  
Imperial Beach, CA 91932, APN 616-021-10

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: San Diego County Regional Airport Authority

Under Negotiation: Instruction to Negotiators will concern price and terms of payment

### **RECONVENE AND ANNOUNCE ACTION (IF APPROPRIATE)**

### **REGULAR MEETING CALL TO ORDER BY MAYOR**

### **ROLL CALL BY CITY CLERK**

### **PLEDGE OF ALLEGIANCE**

### **AGENDA CHANGES**

### **MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/ REPORTS ON ASSIGNMENTS AND COMMITTEES**

### **COMMUNICATIONS FROM CITY STAFF**

**PUBLIC COMMENT** - *Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.*

Any writings or documents provided to a majority of the City Council/RDA/Planning Commission/Public Financing Authority regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.

## **PRESENTATIONS (1.1)**

### **1.1 PRESENTATION OF PROCLAMATION – PUBLIC WORKS WEEK. (0270-30)**

**CONSENT CALENDAR (2.1 - 2.3)** - All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember or member of the public requests that particular item(s) be removed from the Consent Calendar and considered separately. Those items removed from the Consent Calendar will be discussed at the end of the Agenda.

#### **2.1 MINUTES. (0660-430)**

City Manager's Recommendation: Approve the minutes of the Regular City Council Meeting of March 3, 2010.

#### **2.2 RESOLUTION NO. 2010-6888 – APPROVING THE COMMUNITY WILDFIRE PROTECTION PLAN AGREEMENT. (0250-31)**

City Manager's Recommendation: Adopt resolution.

#### **2.3 RESOLUTION 2010-6883 – AUTHORIZING THE CITY MANAGER OF THE CITY OF IMPERIAL BEACH TO SIGN THE FIRST AMENDMENT TO THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM REGIONAL STORM WATER COPERMITTEE MEMORANDUM OF UNDERSTANDING OF NOVEMBER 16, 2007. (0770-85)**

City Manager's Recommendation: Adopt resolution.

## **ORDINANCES – INTRODUCTION/FIRST READING/PUBLIC HEARING (3.1)**

#### **3.1 PUBLIC HEARING, FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2010-1103 – ADOPTION OF THE SEWER SERVICE CHARGE FOR FISCAL YEAR 2011. (0830-95)**

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive report and public testimony;
3. Close the public hearing;
4. Mayor calls for the reading of the title of Ordinance No. 2010-1103 an Ordinance of the City Council of the City of Imperial Beach, California, adopting the revised sewer service rates for sanitary sewer service and amending section 13.06.140.B of Chapter 13.06 of the Imperial Beach Municipal Code pertaining to sewer service charges designated;
5. City Clerk to read title of the Ordinance No. 2010-1103; and
6. Motion to waive further reading and dispense introduction by title only and set the matter for adoption at the next regularly scheduled City Council meeting.

## **ORDINANCES – SECOND READING & ADOPTION (4.1-4.2)**

#### **4.1 SECOND READING AND ADOPTION OF ORDINANCE NO. 2010-1101 AMENDING THE IMPERIAL BEACH MUNICIPAL CODE RELATING TO USE OF VETERANS PARK YOUTH SOCCER FIELD IN THE CITY OF IMPERIAL BEACH BY AMENDING SECTION 12.56.010 AND ADDING SECTION 12.56.065 TO CHAPTER 12.56. (0920-40 & 0920-95)**

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2010-1101, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING THE IMPERIAL BEACH MUNICIPAL CODE RELATING TO USE OF VETERANS PARK YOUTH SOCCER FIELD IN THE CITY OF IMPERIAL BEACH BY AMENDING SECTION 12.56.010 AND ADDING SECTION 12.56.065 TO CHAPTER 12.56";
3. City Clerk reads title of Ordinance No. 2010-1101; and
4. Motion to dispense with the second reading and adopt Ordinance No. 2010-1101 by title only.

***Continued on Next Page***

## **ORDINANCES – SECOND READING & ADOPTION (Continued)**

### **4.2 SECOND READING AND ADOPTION OF ORDINANCE NO. 2010-1102 AMENDING SECTION 3.24.150 (AUDIT AND AUDIT EXPENSES) OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COLLECTION OF TRANSIENT OCCUPANCY TAXES. (0390-80)**

City Manager's Recommendation:

1. Receive report;
2. Mayor calls for the reading of the title of Ordinance No. 2010-1102, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING SECTION 3.24.150 (AUDIT AND AUDIT EXPENSES) OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COLLECTION OF TRANSIENT OCCUPANCY TAXES";
3. City Clerk reads title of Ordinance No. 2010-1102; and
4. Motion to dispense with the second reading and adopt Ordinance No. 2010-1102 by title only.

## **PUBLIC HEARINGS (5.1-5.3)**

### **5.1 PUBLIC HEARING RELATING TO THE LEVY OF ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 67M. (0345-10)**

City Manager's Recommendation:

1. Declare the public hearing open;
2. Receive public comment / protests;
3. If Council wishes to proceed, close the public hearing; and
4. Adopt Resolution No. 2010-6886 confirming the diagram and assessment and providing for the levy of the annual assessment in a special maintenance district (AD 67M).

### **5.2 PUBLIC HEARING SETTING THE ANNUAL SEWER CAPACITY FEE. (0390-55)**

City Manager's Recommendation:

1. Declare the public hearing open,
2. Receive public comment / protests;
3. Close the public hearing; and
4. Adopt Resolution No. 2010-6885 authorizing the retention of the current annual sewer capacity fee rate.

### **5.3 PUBLIC HEARING ADOPTING TRANSNET EXTENSION LOCAL STREET AND ROAD PROGRAM OF PROJECTS FOR FISCAL YEARS 2011-2015. (0680-80)**

City Manager's Recommendation:

1. Declare the public hearing open,
2. Receive public comment;
3. Close the public hearing;
4. Discuss the CIP projects proposed for the 5-year CIP project – modify or accept the projects proposed;
5. Adopt Resolution No. 2010-6887 adopting the TransNet Local Street Improvement Program of projects for Fiscal Years 2011 through 2015 (with modification if desired).
6. Authorize the Public Works Director to submit Resolution 2010-6887 to SANDAG; and
7. Approve the RTIP projects being added to and included in the City of Imperial Beach adopted 5-year CIP (Attachment 2 of Staff Report).

## **REPORTS (6.1 - 6.6)**

### **6.1 RESOLUTION NO. 2010-6884 – APPROVING THE 2010 BIENNIAL SEWER SYSTEM MANAGEMENT PLAN AUDIT. (0830-95)**

City Manager's Recommendation:

1. Receive report;
2. Receive a brief presentation on the significant findings, objective and goals of the program;
3. Adopt resolution;
4. Direct staff to note and file the report for future reference and direction; and
5. Consider strengthening the I.B.M.C. to require higher Fats, Oils and Grease (FOG) control.

### **6.2 PORT COMMISSIONER APPOINTMENT PROCESS. (0150-70)**

City Manager's Recommendation: Approve the Port Commissioner Position Specifications as presented or modified by City Council.

### **6.3 BAYSHORE BIKEWAY ACCESS IMPROVEMENTS CIP PROJECT GRANT APPLICATION; ADDITIONAL SUPPORT FOR. (0680-20).**

City Manager's Recommendation:

1. Receive report;
2. Consider authorizing the City Manager to commit up to \$100,000 of RDA Tax Increment (non-housing) and/or RDA Bond (non-housing) if the State response timeline prohibits referring to City Council at a regularly scheduled agenda meeting; and
3. Staff is to bring the City Manager's commitment back to City Council for affirmation of the decision at the next regularly scheduled City Council meeting.

### **6.4 SAN DIEGO COUNTY SHERIFF'S DEPARTMENT (APPLICANT)/CITY OF IMPERIAL BEACH (OWNER); A SIGN PERMIT (SP 100019) TO PROVIDE A BUILDING SIGN FOR THE SAN DIEGO COUNTY SHERIFF'S DEPARTMENT – IMPERIAL BEACH STATION LOCATED AT 845 IMPERIAL BEACH BOULEVARD IN THE PUBLIC FACILITIES (PF) ZONE. MF 1038 (0600-20)**

City Manager's Recommendation:

1. Consider the design and
2. Adopt Resolution No. 2010-6890 approving a Sign Permit (SP 100019), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.

### **6.5 UPDATE ON STATE BUDGET IMPACT TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY. (0330-30)**

City Manager's Recommendation: Receive and file this informational report.

<b><i>Item No. 6.6 will be discussed at 7:00 p.m. – TIME SPECIFIC</i></b>
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### **6.6 COMMERCIAL ZONING REVIEW – CONTINUED FOCUS DISCUSSION. (0610-95)**

City Manager's Recommendation: That the City Council continue its discussion and provide direction and input on the specific recommendations presented and provide any further specific direction on the next steps for consideration of the proposed recommendations.

## **ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)**

## **ADJOURNMENT**

**The Imperial Beach City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.**

**FOR YOUR CONVENIENCE, A COPY OF THE AGENDA AND COUNCIL MEETING PACKET MAY BE VIEWED IN THE OFFICE OF THE CITY CLERK AT CITY HALL OR ON OUR WEBSITE AT [www.cityofib.com](http://www.cityofib.com).**

Copies of this notice were provided on April 30, 2010 to the City Council, San Diego Union-Tribune, and I.B. Eagle & Times.

STATE OF CALIFORNIA)  
COUNTY OF SAN DIEGO) ss.  
CITY OF IMPERIAL BEACH)

*AFFIDAVIT OF POSTING*

I, Jacqueline M. Hald, City Clerk of the City of Imperial Beach, hereby certify that the Agenda for the Regular Meeting as called by the City Council, Redevelopment Agency, Planning Commission, and Public Financing Authority of Imperial Beach was provided and posted on April 30, 2010. Said meeting to be held at 5:15 p.m., May 4, 2010, in the Council Chambers, 825 Imperial Beach Boulevard, Imperial Beach, California. Said notice was posted at the entrance to the City Council Chambers on April 30, 2010 at 4:00 p.m.

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Jacqueline M. Hald, CMC  
City Clerk

**DRAFT**

**MINUTES**

ITEM NO. 2.1

***IMPERIAL BEACH CITY COUNCIL  
REDEVELOPMENT AGENCY  
PLANNING COMMISSION  
PUBLIC FINANCING AUTHORITY***

**MARCH 3, 2010**

**Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932**

***CLOSED SESSION MEETING – 5:00 P.M.  
REGULAR MEETING – 6:00 P.M.***

**CALL TO ORDER**

MAYOR JANNEY called the Closed Session Meeting to order at 5:04 p.m.

**ROLL CALL**

Councilmembers present: Bragg, McCoy  
Councilmembers absent: Rose  
Mayor present: Janney  
Mayor Pro Tem present: King

Staff present: City Manager Brown; City Attorney Lyon; Deputy City Clerk Wolfson

**CLOSED SESSION**

**MOTION BY BRAGG, SECOND BY MCCOY, TO ADJOURN TO CLOSED SESSION UNDER:**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Government Code Section 54957:  
Title: City Manager

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

Property: 735 Palm Ave., Imperial Beach, CA 91932, APN 626-250-03

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 741 Palm Ave., Imperial Beach, CA 91932, APN 626-250-04

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 761-779 Palm Ave., Imperial Beach, CA 91932, APN 626-250-05

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

Property: 743-849 Palm Ave., Imperial Beach, CA 91932, APN 626-250-06

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: Sudberry Properties, Inc.

Under Negotiation: Instruction to Negotiator will concern price and terms of payment

### **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8:

Property: Unimproved site of 1.15 acres with a paved Class I bike path,  
Imperial Beach, CA 91932, APN 616-021-10

Agency Negotiator: City Manager and City Attorney

Negotiating Parties: San Diego County Regional Airport Authority

Under Negotiation: Instruction to Negotiators will concern price and terms of payment

### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code Section 54956.9(b)(3)(A):

Number of potential cases: 10 (Significant Exposure to Litigation)

### **MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY, BRAGG, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>ROSE</b>

MAYOR JANNEY adjourned the meeting to Closed Session at 5:05 p.m. and he reconvened the meeting to Open Session at 6:00 p.m. Reporting out of Closed Session, MAYOR JANNEY announced City Council met earlier in Closed Session, received information from staff, City Council gave direction and had no reportable action.

MAYOR PRO TEM KING did not participate in Closed Session items of real property negotiations regarding Palm Avenue due to a potential conflict of interest.

COUNCILMEMBER MCCOY did not participate in the Closed Session item of real property negotiations regarding the Class I bike path due to a potential conflict of interest.

### **REGULAR MEETING CALL TO ORDER**

MAYOR JANNEY called the Regular Meeting to order at 6:01 p.m.

### **ROLL CALL**

Councilmembers present:	Bragg, McCoy, Rose
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	King

Staff present: City Manager Brown; City Attorney Lyon; City Clerk Hald

### **PLEDGE OF ALLEGIANCE**

MAYOR JANNEY led everyone in the Pledge of Allegiance.

### **AGENDA CHANGES**

None.

### **MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES**

COUNCILMEMBER BRAGG thanked Lifeguard Captain Stabenow and Fire Chief Sotelo for their decisive actions during a recent tsunami warning; she announced the Opening Day for Little League is March 6; the Gran Fondo Colnago Bike Race is March 7; the Relay for Life event will be May 15 and 16 and she challenged the City to form a team; and Fix a Leak Week is March 15 through March 21.

COUNCILMEMBER MCCOY reported on a recent SANDAG meeting where they discussed growth predictions in the region; she noted that the population in the County is currently at 3.1 million with projected growth to 4.3 million by 2050; she noted that water and where water will come from are determining factors of growth; and she reported on an action plan to address climate change; at the Borders Committee meeting Mexico is planning to build a pedestrian entry on the east side of the border in San Ysidro by 2011 and she expressed concern about the difficulties in building the pedestrian entry on the U.S. side.

COUNCILMEMBER ROSE distributed information on the Imperial Beach Business Expo, scheduled for March 18 at the Marina Vista Center.

MAYOR PRO TEM KING reported on the Navy's meeting on the Draft EIS for the Silver Strand Naval Training Complex.

MAYOR JANNEY thanked Councilmember McCoy for attending the SANDAG meeting for him while he was out of town.

#### **COMMUNICATIONS FROM CITY STAFF**

None.

#### **PUBLIC COMMENT**

ED SORRELLS requested information on and justification for the \$40 permit fee to install a flag pole.

#### **PRESENTATIONS (1)**

None.

#### **CONSENT CALENDAR (2.1 - 2.3)**

MAYOR JANNEY announced e-mail correspondence from Jonni O'Neal was submitted as Last Minute Agenda Information for Item No. 2.3.

COUNCILMEMBER MCCOY announced she had a potential conflict of interest on Item No. 2.3 as her residence is within 500 feet of the project, and she would recuse herself from voting on the item.

MAYOR JANNEY announced two speaker slips were submitted on Item No. 2.3 and, therefore, the item would be pulled from the Consent Calendar for discussion.

#### **MOTION BY MCCOY, SECOND BY ROSE, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 AND 2.2. MOTION CARRIED UNANIMOUSLY.**

##### **2.1 RATIFICATION OF WARRANT REGISTER. (0300-25)**

Ratified the following registers: Accounts Payable Numbers 70417 through 70507 with the subtotal amount of \$137,066.52 and Payroll Checks 42275 through 42319 with the subtotal amount of \$146,390.51 for a total amount of \$283,457.03.

##### **2.2 RESOLUTION NO. 2010-6858 – TIME EXTENSION FOR IMPERIAL BEACH ECO-BICYCLE TRAFFIC CALMING COASTAL DEVELOPMENT PERMIT (ACP 080054) AND DESIGN REVIEW CASE (DRC 080055). MF 934. (0680-20)**

Adopted Resolution No. 2010-6858, approving a time extension for Administrative Coastal Development Permit (ACP 080054) and Design Review (DRC 080055), which makes the necessary findings and provides conditions of approval in compliance with local and state requirements.



**2.3 RESOLUTION NO. 2010-6857 – TIME EXTENSION FOR DOS DELMAR/ EDWIN JOHNSON (OWNER)/TIM MONAHAN OF NEWTRAC PACIFIC (APPLICANT)/JEFF FISCHFOGT (ARCHITECT); REGULAR COASTAL DEVELOPMENT PERMIT (CP 04-58), DESIGN REVIEW (DRC 04-59), SITE PLAN REVIEW (SPR 04-60), ENVIRONMENTAL INITIAL ASSESSMENT (EIA 04-61), AND VARIANCE (VAR 050313) FOR TWO ATTACHED RESIDENTIAL UNITS LOCATED AT 684-686 OCEAN LANE, IN THE R-1500 (HIGH DENSITY RESIDENTIAL) ZONE. MF 701. (0600-20)**

COUNCILMEMBER MCCOY left Council Chambers at 6:12 p.m.

CITY MANAGER BROWN introduced the item.

JONNI O'NEAL disagreed with the statement "...no adverse impacts to adjacent properties would occur" under Site Plan Review Findings No. 1; she spoke in support of additional studies regarding this land use; and she stated that building the additional seawall would jeopardize her property and those who live there.

TIM O'NEAL thanked Public Works Director Levien and his crew for their work on the alley and Ocean Lane during the recent high tides; he also thanked the Port for placing rock in front of the access ramp and his establishment but also questioned why the Port had to defend their investment; he expressed concern about wave action and its effects on erosion; he recommended that studies of the current conditions be conducted and requested the item be tabled at this time.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a report on the item; he noted that the shoreline protection devices existing today are performing as designed during the current conditions of aggressive winter storms and high tide cycles; he recommended approval of the extension.

City Council discussion ensued.

ED JOHNSON, applicant, stated that he is requesting a time extension due to the effects he is experiencing as a result of the recession.

City Council spoke in support for continuing the item to the next regular meeting to have the applicant's engineer respond to questions regarding storm activity and the effects on erosion, and ocean waves impact on shoreline protection devices.

**MOTION BY ROSE, SECOND BY BRAGG, TO CONTINUE THE ITEM TO THE NEXT REGULARLY SCHEDULED MEETING AND AT THAT MEETING HAVE THE APPLICANT'S ENGINEER GIVE A REPORT AND RESPOND TO QUESTIONS. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>	<b>BRAGG, ROSE, KING, JANNEY</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>	<b>NONE</b>
<b>DISQUALIFIED:</b>	<b>COUNCILMEMBERS:</b>	<b>MCCOY (DUE TO A POTENTIAL CONFLICT OF INTEREST)</b>

COUNCILMEMBER MCCOY returned to Council Chambers at 6:45 p.m.

**ORDINANCES – INTRODUCTION/FIRST READING (3)**

None.

**ORDINANCES – SECOND READING & ADOPTION (4.1)**

**4.1 ORDINANCE NO. 2010-1098 – REQUIRING MANDATORY L.E.A.D. OR R.B.S.S. TRAINING FOR ABC ESTABLISHMENTS. (0240-95)**

CITY MANAGER BROWN introduced the item.

MAYOR JANNEY called for the reading of the title of Ordinance No. 2010-1098.

CITY CLERK HALD read the title of Ordinance No. 2010-1098, “AMENDING TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE, BY ADDING CHAPTER 9.05 ALCOHOLIC BEVERAGES – RESPONSIBLE BEVERAGE SALES AND SERVICE TO REQUIRING RESPONSIBLE SALES AND SERVICE TRAINING, TO THE IMPERIAL BEACH MUNICIPAL CODE.”

**MOTION BY BRAGG, SECOND BY KING, TO DISPENSE SECOND READING AND ADOPT ORDINANCE NO. 2010-1098 BY TITLE ONLY. MOTION CARRIED UNANIMOUSLY.**

**PUBLIC HEARINGS (5)**

None.

**REPORTS (6.1 - 6.9)**

**6.9 AD HOC COUNCIL COMMITTEE TO WORK WITH SCHOOL SYSTEMS. (0410-50 & 1010-20)**

MAYOR JANNEY recommended Mayor Pro Tem King and Councilmember Bragg serve on the Ad Hoc Council Committee.

**CONSENSUS OF CITY COUNCIL TO APPOINT MAYOR PRO TEM KING AND COUNCILMEMBER BRAGG TO THE AD HOC COUNCIL COMMITTEE TO WORK WITH THE SCHOOL SYSTEMS.**

**6.8 RESOLUTION NO. 2010-6860 – DESIGNATING LIMITED TIME PARKING ON 8<sup>TH</sup> STREET ADJACENT TO THE IMPERIAL BEACH BRANCH LIBRARY. (0760-05 & 0760-95)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN reported on the item; in response to Council’s question regarding why the 10-minute time limit, he explained the librarian requested 10 minutes in order to have rapid turnover of the parking spaces.

MAYOR PRO TEM KING spoke in support of the 10-minute time limit and suggested a sign be installed or painted on the curb stating “drop off only.”

**MOTION BY ROSE, SECOND BY MCCOY, TO ADOPT RESOLUTION NO. 2010-6860 – DESIGNATING LIMITED TIME PARKING ON 8<sup>TH</sup> STREET ADJACENT TO THE IMPERIAL BEACH BRANCH LIBRARY. MOTION CARRIED UNANIMOUSLY.**

***Item No. 6.1 will be discussed at 7:00 p.m. – TIME SPECIFIC***

**6.1 COMMERCIAL ZONING REVIEW – CONTINUED FOCUS DISCUSSION. (0610-95)**

The following were submitted as Last Minute Agenda Information:

- Correspondence from Brian Jones;
- Correspondence from Ted & Mayda Winter;
- Commercial Zoning Review Project Areas (as presented at February 17, 2010 City Council meeting)
- Matrices (2 sets): Summary of Recommendations from Working Paper #2 and Subsequent Council Direction;
- Correspondence from Roger Benham.

CITY MANAGER BROWN introduced the item.

COMMUNITY DEVELOPMENT DIRECTOR WADE gave a PowerPoint presentation on the item.

City Council expressed concern regarding commercial development adjacent to residential property; there was support for setbacks above the first floor adjacent to residential property; after providing their recommendations for building setback standards; City Council requested staff return to City Council with massing diagrams showing the setbacks and stepbacks. In consideration of the amount of time it would take to accomplish this task, Mayor Janney recommended that the next discussion continue with the remaining topics on the list of recommendations.

Councilmember Rose requested staff return with a menu of incentives.

**6.2 DRAFT TEXT OF SKATE PARK RULES AND REGULATIONS SIGNAGE. (0920-40 & 0920-95)**

CITY MANAGER BROWN introduced the item after announcing e-mail correspondence from the following individuals was submitted as Last Minute Agenda Information:

- Serge Dedina (sent February 25, 2010 6:59 p.m. & 7:01 p.m.)
- Greg Hughes (sent February 26, 2010)
- Jonathan Huffman (sent February 26, 2010)
- Greg Hughes (sent February 27, 2010)
- Kelly Tracy (sent February 25, 2010)
- Heidi Blue (sent February 28, 2010 4:40 p.m. & 4:43 p.m.)
- Fred Olande (sent February 28, 2010 5:39 p.m.)
- Serge Dedina (sent February 28, 2010)
- Fred Olande (sent February 28, 2010 6:34 p.m.)
- Greg Hughes (sent February 28, 2010)
- Sam Yago (sent March 1, 2010)

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item.

Consensus of City Council to not allow bicycle use at the Skate Park; to modify the text of the signage so that it clearly states that:

- skaters are welcome;
- a community-wide effort made the park possible;
- in regard to in-line skates, no more than 5 wheels are allowed;
- no metal wheels are allowed; and

- skateboarding and skating can be hazardous recreational activities

Council also recommended that the signage be limited to skate park activities; they added that information related to health risks and non-skating activities be removed.

### **6.3 SILVER STRAND TRAINING COMPLEX DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS). (0620-80)**

A Union-Tribune article was submitted as Last Minute Agenda Information.

COUNCILMEMBER MCCOY announced she had a potential conflict of interest on the item due to the proximity of her home to a portion of the project and left Council Chambers at 8:20 p.m.

City Council expressed concern about the limited amount of time available to comment on the Draft Environmental Impact Statement especially since it took the Navy 10 years to bring it forward; Council supported submittal of a letter requesting an extension to allow staff time to thoroughly review the DEIS.

CITY PLANNER NAKAGAWA gave a PowerPoint presentation showing staff's preliminary comments to the Navy Silver Strand Training DEIS; he noted the following recommendations:

- a curfew of 10:00 p.m. due to increased aircraft activities and firearm discharges;
- alternate access to get around training area since the public will be constrained from utilizing the beach due to increased training activity;
- additional review period of 45 days given the length of the document and approximately a decade for the Navy to prepare the document; and
- a dog park facility along the perimeter area.

He continued with a review of the alternative summaries and the Navy's proposed usage; reviewed the City of Coronado's comments; and noted that the noise mitigation offered by the Navy to alert the Public Safety Department prior to training exercises is not adequate.

City Council expressed concern that it is unclear what actual uses will take place in the boat lanes in front of IB; they supported the comments provided by the City of Coronado; agreed that notification to the Public Safety Department is not adequate noise mitigation; there was a suggestion for one Navy coordinator/point of contact for all activities and training functions that take place at the base, the need for a lengthier notification process of activities, and a more definitive schedule.

MAYOR JANNEY noted that the activities that take place locally allow for Navy personnel to train at home rather than away from home.

ED SORRELS announced that he is a proud American, Marine and survivor of the Korean War, he spoke about the training he received as a young Marine that enabled him to survive in a combat environment and allowed him to come home and have a family, and he spoke of the importance of ensuring the military has the very best training.

COMMUNITY DEVELOPMENT DIRECTOR WADE noted it is unclear which activities will increase; and he suggested mitigation for decreased access to the beach.

City Council supported minimized nighttime operations and a curfew of 10:00 p.m.

COUNCILMEMBER MCCOY returned to Council Chambers at 8:55 p.m.

**6.4 PORT COMMISSIONER APPOINTMENT PROCESS. (0150-70)**

Consensus of City Council to move this item to the next City Council meeting.

**6.5 RESOLUTION NO. 2010-6861 – MEMORANDUM OF UNDERSTANDING BETWEEN THE BOYS AND GIRLS CLUB OF IMPERIAL BEACH AND THE CITY OF IMPERIAL BEACH. (0130-08 & 0920-70)**

A revised Memorandum of Understanding was submitted as Last Minute Agenda Information.

CITY MANAGER BROWN introduced and reported on the item.

**MOTION BY ROSE, SECOND BY KING, TO ADOPT RESOLUTION NO. 2010-6861 – APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE BOYS AND GIRLS CLUB OF IMPERIAL BEACH AND THE CITY OF IMPERIAL BEACH. MOTION CARRIED UNANIMOUSLY.**

**6.6 RESOLUTION NO. 2010-6855 – AUTHORIZING THE PURCHASE OF REPLACEMENT SEWER DIVISION EMERGENCY GENERATOR. (1140-05)**

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a report on the item.

**MOTION BY MCCOY, SECOND BY ROSE, TO ADOPT RESOLUTION NO. 2010-6855 – AUTHORIZING THE PURCHASE OF REPLACEMENT SEWER DIVISION EMERGENCY GENERATOR. MOTION CARRIED UNANIMOUSLY.**

**6.7 RESOLUTION NO. R-10-211 – PROPOSED ADDITIONAL ALLOCATION OF \$762,500 FOR THE CLEAN AND GREEN PROGRAM. (0640-95)**

CITY MANAGER BROWN introduced the item.

REDEVELOPMENT COORDINATOR SELBY gave a report on the item.

**MOTION BY MCCOY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. R-10-211, APPROVING AN AMENDMENT TO THE CLEAN AND GREEN PROGRAM BUDGET. MOTION CARRIED UNANIMOUSLY.**

**ADJOURNMENT**

MAYOR JANNEY adjourned the meeting at 9:07 p.m.

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James C. Janney, Mayor

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Jacqueline M. Hald, CMC  
City Clerk



**AGENDA ITEM NO. 2.2**

**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: GARY BROWN, CITY MANAGER**

**MEETING DATE: MAY4, 2010**

**ORIGINATING DEPT.: PUBLIC SAFETY**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
IMPERIAL BEACH, CALIFORNIA, APPROVING THE  
COMMUNITY WILDLIFE PROTECTION PLAN AGREEMENT**

---

**BACKGROUND:**

The Southwest San Diego Community Wildfire Protection Plan (CWPP) is a regional plan designed to identify areas at risk and to determine regional mitigation projects for the target area. This target area is comprised of municipalities of the very southwestern corner of San Diego County. The municipalities include Chula Vista, Bonita, National City, Imperial Beach, Coronado and parts of the City of San Diego. The CWPP boundary extends to the International Border to the south and the Pacific Ocean to the west. The eastern boundary is defined by the eastern edge of Chula Vista, with the CWPP line extending almost directly south to the international border. The CWPP's northern boundary is defined by the northern boundaries of Chula Vista, Bonita, National City and Coronado. Several other County, State and Federal lands are included within this boundary. Federal lands within and adjacent to the CWPP boundary include USFWS, BLM and US Navy. (See the boundary map included in Appendix B) The CWPP includes the following communities-at-risk, as identified by the California Fire Alliance: Bonita, Coronado, Chula Vista, Imperial Beach, National City and Otay Mesa.

**DISCUSSION:**

Imperial Beach and Coronado are two coastal communities in the region. Imperial Beach is bordered by the Pacific Ocean to the west, USFWS Wildlife Refuge and California State Park lands to the south, San Diego Bay to the north and San Diego City and Otay to the east. The U.S. Navy also owns and manages a significant land area to the south. Coronado is considered an "island" surrounded by the Pacific Ocean and San Diego Bay, connected to the mainland only by the Silver Strand and the Coronado Bay Bridge. Coronado is characterized by heavy structural density and very limited wildland areas occurring mostly on the Naval lands that make up nearly half the island.

Due to the coastal proximity and eastern buffers these two municipalities are considered a lower risk than the other portions of the CWPP region, though both are included in the federal list of

Communities at Risk. The cities of Coronado and Imperial Beach wildfire threat level is considered low and insignificant and chose not participate in the plan's development. Coronado and Imperial Beach are regardless included within the CWPP boundary to allow for their participation in further revisions of the plan. USFWS Wildlife Refuge, California State Parks and US Navy Metro Fire representatives were contacted regarding the plan and all indicated that they had no projects to add to the CWPP.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA

**FISCAL IMPACT:**

There is no fiscal impact.

**DEPARTMENT RECOMMENDATION:**

Adopt Resolution 2010-6888, authorizing the City Manager to sign the Community Wildlife Protection Plan Agreement.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



---

Gary Brown, City Manager

**Attachments:**

1. Resolution No. 2010-6888
2. Community Wildlife Protection Plan

**RESOLUTION NO. 2010-6888**

**A RESOLUTION OF THE CITY COUNCIL OF IMPERIAL BEACH, CALIFORNIA, APPROVING THE COMMUNITY WILDLIFE PROTECTION PLAN AGREEMENT**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS**, the Southwest San Diego Community Wildlife Protection Plan (CWPP) is a regional plan designed to identify areas at risk and to determine regional mitigation projects for the target area, and;

**WHEREAS**, the City of Imperial Beach as a coastal community in the region are included within the CWPP boundary to allow for their participation in further revisions of the plan, and;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council authorizes the City Manager to approve the Community Wildlife Protection Plan Agreement.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 1<sup>st</sup> of May 2010, by the following roll call vote:

**AYES: COUNCILMEMBERS:**  
**NOES: COUNCILMEMBERS:**  
**ABSENT: COUNCILMEMBERS:**

JIM JANNEY  
**JIM JANNEY, MAYOR**

**ATTEST:**

Jacqueline M. Hald  
**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2010-6888 A RESOLUTION OF THE CITY COUNCIL OF IMPERIAL BEACH, CALIFORNIA, APPROVING THE COMMUNITY WILDLIFE PROTECTION PLAN AGREEMENT

CITY CLERK

DATE



# ***Community Wildfire Protection Plan***

**Southwest San Diego**

***San Diego County, California***

## ***Cover Page***

Document Tracking (for use by CWPP Review Committee):

### ORIGINAL CWPP

Date 1<sup>st</sup> submittal received: \_\_\_\_\_ CWPP Reviewed: \_\_\_\_\_

Revisions requested, letter to CWPP originators: \_\_\_\_\_

Revisions received: \_\_\_\_\_

Date CWPP approved by Committee: \_\_\_\_\_

Final signatures obtained: \_\_\_\_\_

CAL FIRE authorized: \_\_\_\_\_

Approval letter to CWPP originators: \_\_\_\_\_

PDF Posted to Website: \_\_\_\_\_

### CWPP AMENDMENT(S)

Date 1<sup>st</sup> amendment received: \_\_\_\_\_ Amendment Reviewed: \_\_\_\_\_

Amendment revisions requested, letter to CWPP originators: \_\_\_\_\_

Revisions received: \_\_\_\_\_

Date Amendment approved by Committee: \_\_\_\_\_

Final signatures obtained: \_\_\_\_\_

CAL FIRE authorized: \_\_\_\_\_

Approval letter to CWPP originators: \_\_\_\_\_

PDF Posted to Website: \_\_\_\_\_

# ***Community Wildfire Protection Plan***

***for***

***Southwest San Diego***

**San Diego County, CA**

## **Introduction**

This Community Wildfire Protection Plan (CWPP) was developed by the Bonita/Sunnyside Fire Protection District, Chula Vista Fire Department, National City Fire Department, and City of San Diego Fire-Rescue Department with guidance and support from the Fire Safe Council of San Diego County, County of San Diego, California Department of Forestry and Fire Protection, the United States Fish and Wildlife Service, and the Bureau of Land Management. This CWPP supplements San Diego County Department of Planning and Land Use documents referenced in Appendix A.

***Community Wildfire Protection Plan***

**Southwest San Diego**

**San Diego County, CA**

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**SECTION I: COLLABORATION****A: COMMUNITY / AGENCIES / FIRE SAFE COUNCILS**

Representatives involved in the development of the Southwest San Diego CWPP are included in the following table. Their organization, and roles and responsibilities are indicated below:

Organization	Roles / Responsibilities
Fire Safe Council of San Diego County / Resource Conservation District of Greater San Diego County <i>Faith Berry, Kathy Howard, Chris Blaylock</i>	Provides educational outreach and support for pre-wildfire disaster planning, defensible space, fuel reduction and hazard assessment. Assist with collaborating between agencies and Fire Safe Councils.
Chula Vista Fire Department <i>Justin Gipson, Deputy Fire Chief</i> <i>Darin Golden, Fire Inspector II</i> <i>Fernando Felix, Fire Inspector II</i>	Provides local information and expertise for the City of Chula Vista managed lands and the wildland urban interface, including fire prevention, fuels treatment and land management activities.
Bonita / Sunnyside Fire Protection District <i>Bob French, Fire Captain</i>	Provides local information and expertise for the community of Bonita managed lands and the wildland urban interface, including fire prevention, fuels treatment and land management activities.
National City Fire Department <i>Robert Hernandez, Fire Marshal</i>	Provides local information and expertise for the City of National City managed lands and the wildland urban interface, including fire prevention, fuels treatment and land management activities.
City of San Diego Fire-Rescue Department <i>Mark Dossett, Brush Mgmt Director</i>	Provides local information and expertise for the City of San Diego managed lands and the wildland urban interface, including fire prevention, fuels treatment and land management activities.
San Diego County Department of Parks and Recreation <i>Larry Duke, District Park Manager</i>	Provides local information and expertise for San Diego County Dept. of Parks and Recreation managed lands and the wildland urban interface, including fire prevention, fuels treatment and land management activities.
US Fish and Wildlife Service <i>James Roberts, Bill Molumby, Larry Wade, Jill Terp, Pek Pum</i>	Provides CWPP development guidance and funding; provides local information and expertise for USFWS lands and the wildland urban interface, including fire prevention, fuels treatment and land management activities; provides GIS support.
US Border Patrol <i>Richard Haynes, Field Supervisor</i>	Provides local information and expertise for U.S. Border Patrol jurisdictional region, including public land management activities.

San Diego Gas and Electric <i>Randy Lyle</i>	Provides local information and expertise for SDGE right of ways and the wildland urban interface, including fire prevention, fuels treatment and land management activities.
Otay Water District <i>Lisa Coburn-Boyd, Environmental Compliance Specialist and Ted Cudal, Safety &amp; Security Administrator</i>	Provides local information and expertise for Otay Water District managed areas, including hazard mitigation activities, water system integrity and environmental compliance.
Farmers Insurance <i>Cesar Sterling and Vannessa Coffen, Agents</i>	Provides local information and expertise regarding insurance issues, assists with community value assessment, development of community protection priorities, and establishment of fuels treatment project areas and methods.
Friends of Rice Canyon <i>Betsy Corey, President</i>	Provides community value assessment, development of community protection priorities, and establishment of fuels treatment project areas and methods.
Rice Canyon Community <i>Albert &amp; Michelle Mercado, John Orcutt, Betsy Corey, Wayne Murphy – Community members</i>	Provides community value assessment, development of community protection priorities, and establishment of fuels treatment project areas and methods.
Friends of Del Rey Canyon <i>Teresa Acerro</i>	Provides community value assessment, development of community protection priorities, and establishment of fuels treatment project areas and methods.
Del Rey Canyon Community <i>Nora Turner, Tim &amp; Maria Tolman</i>	Provides community value assessment, development of community protection priorities, and establishment of fuels treatment project areas and methods.
Bonita Hills HOA <i>Jimmie Lacey, President</i>	Provides community value assessment, development of community protection priorities, and establishment of fuels treatment project areas and methods.
Sweetwater Valley Community Assoc. <i>Michael Cohen, President</i>	Provides community value assessment, development of community protection priorities, and establishment of fuels treatment project areas and methods.
National City Neighborhood Council <i>Michael Cohen, President</i>	Organized public outreach and community feedback opportunities for CWPP goals and development.
Chula Vista Public Safety Committee, <i>Councilmember Steve Castaneda.</i>	Conceives and develops ideas and suggestions to contribute to the improvement of personal, traffic or property safety within the City of Chula Vista
Otay Mesa Planning Group <i>Rob Hixon, President</i>	Organized public outreach and community feedback opportunity for CWPP goals and development.

### Summary of meetings and other collaboration

Because no community Fire Safe Councils existed in the SWSD CWPP region prior to writing, the collaboration process was necessarily more flexible and diffuse than a traditional CWPP process. The Core Team worked to contact as many stakeholders as could be identified to inform them about the CWPP and extend an invitation to join in the development of the plan. A percentage indicated they would be actively involved while some groups and individuals chose not to participate.

The groups contacted for this plan include: **US Fish and Wildlife Service, US Navy Metro Fire Dept., California State Parks, US Border Patrol, San Diego Gas and Electric, CALTRANS, County of San Diego DPLU, County of San Diego Parks and Rec., City of San Diego Fire-Rescue Dept., City of San Diego Water Department, City of San Diego Parks and Rec, Bonita Fire Department, Bonita Hills HOA, Bonita Highlands HOA, Chula Vista Fire Dept., Chula Vista City Council, Chula Vista Community Collaborative, Chula Vista Public Safety Committee, Coronado Fire Dept., Coronado CERT, Imperial Beach Fire Department, National City Fire Department, National City Neighborhood Council, National City Police Dept., Mayor of National City, Otay Water District. Otay Mesa Planning Group, Otay Ranch "Heritage" HOA, Otay Ranch "Heritage Hills" HOA, Otay Mesa Chamber of Commerce, Sweetwater Planning Group, Sweetwater Valley Civic Association, San Diego Canyonlands, Friends of Rice Canyon, Friends of Del Rey Canyon, Rancho San Diego Chamber of Commerce.**

While the CWPP team made every effort to identify and reach out to as many stakeholders as possible, more stake holders will be identified as time goes on and the core team will continue to involve those groups and individuals in further planning efforts.

For those that chose to participate, several meetings with agency and community stakeholders took place to discuss and garner feedback for the plan. Meetings ranged from small one-on-one meetings to large neighborhood council meetings attended by over 100 community members. Public scoping meetings were held specifically to address the CWPP and in other instances the CWPP was added to existing agendas of regularly scheduled community group meetings. Targets for these meetings included Home Owners Associations, Planning Groups, Neighborhood Councils and others.

Public scoping meetings were advertized though local announcements and mailers created specifically for this project; 1500 mailers were sent to residents of Chula Vista alone inviting community members to two separate public meetings. A sample of that mailer can be found in Appendix B. The attendees provided direct feedback into the list of prioritized fuel reduction projects and actions to reduce structural ignitability. The core team utilized that feedback in drafting the CWPP.

The table below details the meetings that took place with regard to the CWPP development.

Date	Location	In attendance	Topic
10/1/08	USFWS- Jamul	James Roberts - USFWS Jill Terp - USFWS Bill Molumby USFWS Chris Blaylock - RCDGSDC	Initial look at planning area for both CWPPs. Identify agencies/stakeholders.
12/12/08	USFWS Imperial Beach	CVFD IBFD FSCSDC USFWS	Intro meeting for stakeholders
1/30/09	SDFD	Mark Dossett - SDFD Eddie Villavicencio - SDFD Chris Blaylock - RCDGSDC	Introductory meeting for SDFD
2/23/09	CVFD	Justin Gipson - Chula Vista FD Chris Blaylock - RCDGSDC	Further planning discussion
3/18/09	CVFD	Justin Gipson - Chula Vista FD Margarita Holguin - Chula Vista Community Collaborative	Briefing and address concerns of Chula Vista Community Collaborative

3/23/09	National City Fire HQ	Robert Hernandez - NCFD Larry Beck - NCFD Chris Blaylock - RCDGSDC	Prelim discussion
3/23/09	Rancho Jamul Chamber of Commerce	Valerie Harrison - RJCC Chris Blaylock - FSCSDC	Interaction of Proposed CWPP's with proposed San Miguel CWPP
4/2/09	Bonita/Sunnyside Fire Station	Bob French - BSDFPD Chris Blaylock - RCDGSDC	Prelim discussion
4/28/09	Chula Vista Fire Dept	Justin Gipson - Chula Vista FD Robert Hernandez - NCFD James Roberts - USFWS Mark Dossett - SDFD Faith Berry - FSCSDC Chris Blaylock - RCDGSDC	Core team mtg
5/13/09	Rice Canyon, Chula Vista	30+ community members, Chula Vista Fire FSCSDC	Public Scoping meeting
5/21/09	SD Park/Rec Dept	Larry Duke - SD County P/R Mike McFedries - SDC P/R C. Blaylock - RCDGSDC	Address County managed lands
5/21/09	Rice Canyon, Chula Vista	Betsy Cory - President, Friends of Rice Canyon	Address concerns of Friends of Rice Canyon
6/25/09	Del Rey Canyon, Chula Vista	20+ community members, Chula Vista Fire FSCSDC	Public Scoping meeting
7/8/09	Bonita Hills HOA	Bonita Hills HOA Board and community members Bonita/Sunnyside FPD Faith Berry - FSCSDC Chris Blaylock - RCDGSDC	Briefing and garner feedback from Bonita Hills community
7/15/09	Nestor Library, Otay Mesa	Otay Mesa Planning Group (25 members) RCDGSDC	Presentation and garner feedback for CWPP with regard to Otay region
8/1/09	National City MLK Center	100+ community members Mayor of Natl. City National City Fire Dept. National City Police Department National City Neighborhood Council FSDSDC/RCDGSDC	Presentation regarding CWPP and Fire Safe Council development
8/4/09	Sweetwater Planning Group	Bonita/Sunnyside FPD Sweetwater Planning Group	Brief planning group about CWPP and garner feedback for plan
8/5/09	Sweetwater Valley Civic Association	Bonita/Sunnyside FPD SweetwaterCivic Association	Brief civic association about CWPP and garner feedback for plan
8/15/09	Border Patrol - Brown Field Station	Richard Haynes - Field Supervisor Chris Blaylock - RCDGSDC	Briefing and address County Managed Lands

8/17/09	Bonita/Chula Vista	Larry Duke - County Parks James Roberts/Jill Terp - USFWS Faith Berry - FSCSDC Chris Blaylock - RCDGSDC Justin Gipson - CVFD Fernando Felix - CVFD Bob French - Bonita FPD Cesar Sterling - Farmers Besty Cory - Friends of Rice Canyon Tim/Maria Tolman - Del Rey Canyon Nora Turner - Del Rey Canyon Mike Cohen - Sweetwater Civic Assoc Fred Rose - Bonita Highlands HOA Wayne/Deanna Murphy - Rice Canyon Mr./Mrs. Albert Mercado - Rice Canyon	Drafting of CWPP for Bonita and Chula Vista communities
9/27/09	Otay Water District HQ	Lisa Coburn-Boyd – OWD Ted Cudal – OWD Chris Blaylock – RCDGSDC	Briefing and address Otay Water District managed facilities and corresponding concerns

#### **Development of Fire Safe Councils as a result of collaboration**

Prior to writing, no Fire Safe Councils existed within the CWPP region. Therefore Fire Safe Council outreach and education was combined with CWPP outreach. The result is that, as of writing, three new Fire Safe Councils are being formed within the CWPP region: two in Chula Vista and one in Bonita. Through these Fire Safe Councils it is likely that collaboration between communities and agencies will continue and even increase long after the CWPP has been completed.

#### **B. Community Overview**

The Southwest San Diego Community Wildfire Protection Plan is a regional plan comprising the municipalities of the very southwestern corner of San Diego County. The municipalities include Chula Vista, Bonita, National City, Imperial Beach, Coronado and parts of the City of San Diego. The CWPP boundary extends to the International Border to the south and the Pacific Ocean to the west. The eastern boundary is defined by the eastern edge of Chula Vista, with the CWPP line extending almost directly south to the international border. The CWPP's northern boundary is defined by the northern boundaries of Chula Vista, Bonita, National City and Coronado. Several other County, State and Federal lands are included within this boundary. Federal lands within and adjacent to the CWPP boundary include USFWS, BLM and US Navy. See the boundary map included in Appendix B.

The CWPP includes the following communities-at-risk, as identified by the California Fire Alliance: Bonita, Coronado, Chula Vista, Imperial Beach, National City and Otay Mesa.

The SWSD CWPP region is a heavily populated area with a high density of structures in the wildland urban interface. In addition to the large exposure to San Diego's open wildlands along the eastern boundary, the CWPP region contains many suburban canyons creating a mosaic of interface regions.



Local and more recent estimates vary, however as a general overview the following chart indicates the housing units and population of the primary municipalities within the CWPP boundary according to the 2000 U.S. Census.

<b>Municipality</b>	<b>Population</b>	<b>Housing Units</b>
Bonita	12,401	4,281
Chula Vista	231,305	77,452
Coronado	24,100	9,494
Imperial Beach	26,992	9,739
National City	54,260	15,422
Otay (City of SD)	68,764	17,197
<b>Totals:</b>	<b>417,822</b>	<b>133,585</b>

Each municipality contains numerous businesses, schools, elderly care facilities, medical facilities, and other public services, that would be heavily impacted in a catastrophic wildfire situation. Further details are included in community specific descriptions below.

#### Regional vegetation and topography

Several habitats exist within the boundary of the CWPP, representing many different vegetation types. These types include native and non-native grasslands, scrub habitats, marine or aquatic influenced vegetation, oak woodlands, riparian forests, and chaparral. Due to the high concentration of development, a number of ornamental, or otherwise introduced species come along with the native and/or naturalized vegetation (City of Chula Vista Wildland-Urban Interface Code Implementation Project, 2009). Urban canyons are dominated by coastal sage scrub and chaparral plant communities with riparian vegetation along canyon bottoms as well as varying introduced species near urban development and disturbed areas.

Additionally, several Multiple Species Conservation Program (MSCP) preserves exist within the boundary of the CWPP. Therefore great care must be taken to perform wildfire hazard mitigation projects in accordance with MSCP recommendations in order to reduce the negative impacts to threatened and endangered species and degradation of habitat values (See San Diego County MSCP South County Subarea Plan 1997 sections 1.9.5.1. and 1.11, 1997)

The elevation varies from an average of 500 – 700 feet in the eastern portion of the region, up to 1700 feet above sea level near Mother Miguel Mountain, decreasing to sea level along the coastal part of the region. West of Interstate 805 slopes remain moderate at 0 – 5% while east of I-805 slopes range from 0 – 55% in the many urban canyons that characterize the region.

#### Community Specific Descriptions

##### **Bonita**

The Bonita-Sunnyside Fire Protection District (Fire District) is located in the southern portion of San Diego County. The Fire District is bordered by the cities of Chula Vista, National City, San Diego, and Spring Valley. The United States Fish and Wildlife Service also interface with portions of the Fire District. Comprising an area of 6 square miles in the Sweetwater Valley and protecting a population of 12,401 (2000 census), the Fire District responds to approximately 1300 calls in this urban and semi-rural mainly single-family dwelling community during 2008. According to the 4,218 housing units noted above, the district contains 26 commercial parcels. Two residential care facilities exist that can house approximately 230 residents. Monarch Villa Bonita is a totally independent care facility with 130 rooms capable of housing 180 residents. Sunrise Assisted Living has 64 rooms, of which, 15 are designated for complete needs/dementia affected residents.

The Bonita-Sunnyside FPD topography consists of a river valley with mesas and canyons lining the perimeters in the western portion of the Fire District and a drier chaparral in the east area. Vegetation consists of native coastal sage with annual grasses in the canyons with non-native vegetation from homeowner landscaping dominating the Sweetwater Valley river area. The drier chaparral areas consist of less dense population but increased fire threat with grasses and weeds that die out after annual spring growth.

The cities of Chula Vista, National City, San Diego, and Spring Valley border Bonita-Sunnyside FPD. Chula Vista has the largest Wildland Urban Interface (WUI) risk to the Fire District. The cities of National City, San Diego, and Spring Valley have medium WUI risks under normal weather conditions. The County of San Diego has designated parklands within the Fire District that follow the flow of the Sweetwater River, approximately four miles in length. These parklands present a significant WUI risk to residents and property in the Fire District.

### **Chula Vista**

Chula Vista represents the largest municipality in the CWPP region with a population of nearly 235,000 and businesses, schools and other services commensurate to that large population. It also claims the largest boundary exposure to the wildlands and open space areas of southeast San Diego in the CWPP region, and thus has, along with Otay, the primary exposure to large conflagrations coming out of the east.

Urban development in the eastern and southern portion of the city is also relatively newer development and structures built in this part of the city have been built under strict fire codes with defensible space planned into the development.

Inner urban canyons, where most homes were built prior to current stringent fire codes, are where the greatest interface concerns lie. Thousands of homes line the rim of Rice Canyon, Del Rey Canyon, Long Canyon and several east-west trending canyons. Each of these canyons can potentially ignite due to human activity, structural fire spreading into vegetation, or from ember transmission from nearby wildland fires.

Vegetation in these canyons is a mix of coastal sage scrub, chaparral and riparian plant communities. Close to urban development and within disturbed areas, introduced species are prevalent. Due to steep slopes and dense vegetation in these canyons, the potential for structural losses in a wildland fire situation is very high to extreme.

To the southeast, near the Otay Reservoirs, vegetation consists largely of "flashy" grasses as the area is in the early stages of recovery from the Otay/Mines Fire. Further west into the Otay River valley, vegetation consists of heavy riparian growth along with mixed shrub species along the slopes. Frequent ignitions due to illegal campfires are a concern in this region.

### **Otay Mesa, City of San Diego**

Otay Mesa is situated east of Imperial Beach and South of Chula Vista. According to 2000 Census statistics, Otay Mesa has a land area of 36.04 sq. miles, a population of 68,764 living in 17,197 housing units.

The area includes an international border crossing, a large industrial business region, the Brown Field Municipal Airport, a State Penitentiary along with County and City incarceration facilities.

Prior to the last 20 years Otay Mesa's residential units were mostly limited to the western edges of the region, as essentially an extension of Imperial Beach and San Ysidro residential areas. In the last 20 years, however, many new residential developments have been built atop steep canyon slopes extending further and further into wildland areas. The City of San Diego has primary wildfire jurisdiction for these residential areas.

Otay Mesa is home to many unique, protected and endangered species of flora and fauna, such as San Diego fairy shrimp, Otay Mesa mint and San Diego button-celery. The Otay Mesa mint is only found in Otay Mesa and no other place in the world.

### **National City**

Located in San Diego County, National City has an area of 9.2 square miles with a land area being 7.3 square miles. The 2008 population within the city reached approximately 61,115 residents. National City is almost entirely built out with only 6 percent of the land being vacant. The city mostly contains a mix of older single and multi-family dwellings, small and larger businesses and retailers. Many of the dwelling units date to before 1945. There are also some office park buildings, smaller warehouses and light manufacturing facilities, with some newer and some very old.

Major infrastructure includes one high school, two middle schools, seven elementary schools, an Adult Education Center, nineteen residential care facilities with an estimated bed capacity of at least 700 persons, the Paradise Valley Hospital, Plaza Bonita Mall, International Marine Cargo Port, two major Freeways ( I-5 and I-805 ) and State Rt. 54. National City is adjacent to 32nd St. Naval Station

The city has pockets of grass, native brush and trees in between developed areas and in the eastern parts of the city's hilly terrain.

### **Imperial Beach/Coronado**

Imperial Beach and Coronado are included within the CWPP boundary, however the representatives of these municipalities opted for a very limited role in the CWPP development process and asked instead that eastern municipalities take the lead. Due to the coastal proximity and eastern buffers these two municipalities are considered a lower risk than the other portions of the CWPP region, though both are included in the federal list of Communities at Risk.

Coronado is considered an "island" surrounded by the Pacific Ocean and San Diego Bay, connected to the mainland only by the Silver Strand and the Coronado Bay Bridge. Coronado is characterized by heavy structural density and very limited wildland areas occurring mostly on the Naval lands that make up nearly half the island.

Imperial Beach is the other coastal community in the region. It is bordered by the Pacific Ocean to the west, USFWS Wildlife Refuge and California State Park lands to the south, San Diego Bay to the north and Otay to the east. The U.S. Navy also owns and manages a significant land area to the south. Imperial Beach Fire Department authorities indicated that they would be comfortable with City of San Diego, who has jurisdictional authority of Otay to the east, taking the lead with regard to CWPP efforts. USFWS Wildlife Refuge, California State Parks and US Navy Metro Fire staff was contacted regarding the plan and all indicated that they had no projects to add to the CWPP.

Coronado and Imperial Beach are regardless included within the CWPP boundary to allow for their participation in further revisions of the plan.

### **Regional Fire History:**

Large wildland fires, typically driven by Santa Ana wind conditions have extended into the Southwest San Diego CWPP region multiple times over the past 50 years. The 1970 Laguna Fire, 2003 Harris Ranch Fire, and 2007 Otay/Mines Fire threatened the eastern portions of the CWPP region. Aggressive back-firing prevented these fires from damaging lands or structures within the region.

Smaller wildland fires occur annually and, due to high-density development along canyon rims, these fires present a potential for home- and life-loss. For example a fire in Del Rey Canyon in 1994 threatened dozens of homes and resulted in one home-loss.

### **C. Identification of Values at Risk**

The Southwest San Diego CWPP region encompasses the municipal areas directly west of San Diego County's southern open wildlands. A major conflagration originating in those wildlands during a Santa Ana wind event could very likely be driven west toward the CWPP region and impact the heavily populated area much the way Rancho Bernardo and Rancho Santa Fe were impacted in the 2007 Witch Creek Fire. In addition to the vulnerability of eastern edge of the region, the entire region is intermixed with suburban canyons, each with homes and businesses lining the edge of the steep vegetated slopes.

Following is a list of the values at risk and areas of concern:

#### **Regional:**

- Wildlife and wildlife habitat
- Watershed protection
- Erosion prevention
- Life
- Property
- Native plant communities
- Threatened and endangered species
- Recreational and educational values – trails, interpretive signage, nature walks, etc.
- Public water system integrity

The areas of concern listed below do not complete all the WUI areas to be mitigated; they represent the greatest areas of wild fire threats to structures and residents.

#### **Bonita**

Structures/Specific areas of contiguous fuels or isolated pockets of fuels. The primary structures within the Fire District WUI are single-family dwellings. The specific WUI areas that threaten these are as follows:

- a. Pepper Tree Rd/Carvalos Drive
- b. Lynnwood Dr/Vista Nación/Vista Coronado Dr
- c. The canyon area between The Hill Rd and Vista Coronado Dr
- d. Horton Rd/Surrey Dr (City of Chula Vista)
- e. 4800 Sweetwater Rd – 5500 Sweetwater Rd
- f. 5000 Bonita Rd – 5400 Bonita Rd
- g. 3600 – 4363 Country Trails Ln
- h. Horse Ridge Wy – 4363 Corral Canyon
- i. Long Canyon Dr – 4463 Acacia Ave
- j. Fallbrook Ct (City of Chula Vista)/Acacia Ave.
- k. Canyons of Paseo de la Vista/Evergreen Rd/Cresta Verde

#### **Chula Vista**

Salt Creek Golf Course  
Bonita Highlands  
Proctor Valley Corridor  
Goats Hill  
Bonita Long Canyon  
Rice Canyon  
Lynndale Canyon  
Choya Canyon  
Lynwood Hills Sesame Canyon  
Training Center (Lower Otay)

Olympic Parkway Corridor (North)  
Olympic Parkway Corridor (South)  
Savage  
Rock Mountain  
River Bottom Corridor (Rock Quarry)  
River Bottom Corridor (I-125)  
River Bottom Corridor (Heritage San Diego)  
River Bottom Corridor  
River Bottom Corridor (Beyer Way)  
River Bottom Corridor (Date Street)  
River Bottom Corridor (Beyer off Broadway)  
River Bottom Corridor (I-805)  
Bella Lago  
Mount Miguel  
Chute Canyon  
Del Rey Canyon  
Church Canyon  
Independence Canyon  
Poggy  
Wolf Canyon  
Cricket  
Snake Canyon  
Glen Abby Saddle  
Elevado Canyon  
Coastil Hills  
Birch Ridge  
Discovery Canyon  
Mission Ridge

#### National City

Contiguous fuels adjacent to homes along Sweetwater Riverway and highway right-of-ways.

#### Otay Mesa / City of San Diego

Otay Mesa is Priority Zone 14 in the City of San Diego's Open Space Parks Brush Management Program (<http://www.sandiego.gov/park-and-recreation/parks/brush.shtml>). All city-owned parcels within this region are considered a high priority for treatment.

## Maps

Using technology and local expertise, the SWSD CWPP team developed a series of maps depicting the site and situation of the SWSD CWPP region. The maps are included in Appendix B and are listed below

1. An overview map the region
2. A map showing inhabited areas and values that could be threatened by wildland fire.
3. A preliminary designation of your community's wildland-urban interface (WUI) zone.
4. USGS topographic quad map or topographic contour line map that adequately depicts the topographic variation in your community.
5. A map showing the vegetation classes within and adjacent to communities within the region.
6. A map showing publicly owned lands that are within and adjacent to the region.

***Note: Final maps and figures are currently in development and not available in this draft.***

## **D. Local Preparedness and Firefighting Capability**

The Southwest San Diego CWPP region is characterized by several heavily populated municipalities protected by municipal fire departments. Each municipality has its own Fire Department (or Fire Protection District) contained entirely within the CWPP boundary. The exception to this rule is the City of San Diego portion of the CWPP; the San Diego Fire-Rescue Department is responsible for responding to emergencies in the Otay region in addition to several other parts of San Diego outside the CWPP region.

Because of the predominant urban nature of the region, municipal fire departments cover the entire region and are characterized by a nationalized standard of a certain number of firefighting resources per capita. For example, the City of Chula Vista is moving toward adopting National Fire Protection Association (NFPA) 1710 standards that require stations and resources be distributed across the jurisdiction in such a way as to guarantee a maximum of four minutes response time to any emergency call.

Actual resources may vary across communities based on budgetary restraints.

In a large wildfire incident the agencies that may respond include Bonita/Sunnyside Fire Protection District, Chula Vista Fire Department, National City Fire Department, San Diego Fire-Rescue Department, San Miguel Consolidated Fire Protection District, Imperial Beach Fire Department, Coronado Fire Department, CALFIRE, the United States Forest Service, and the United States Fish & Wildlife Service.

In addition to municipal firefighting resources, community Fire Safe Councils are being developed in Bonita and Chula Vista to increase community preparedness for wildfires.

## **SECTION II: PRIORITIZED FUEL REDUCTION TREATMENTS**

### **A. Priorities**

The SWSD CWPP core team developed the following list of prioritized projects through collaboration with stakeholders and through public scoping. *Vegetation management is to be completed in compliance with the Memorandum of Understanding (MOU) between the USFWS, CDFG and San Diego County Fire Chiefs Association, as well as MSCP guidelines.*

Several projects are common across communities and are listed together as Regional Projects. Projects specific to each community are listed under the respective community heading.

#### **Regional Projects**

- Create 100' defensible space around structures and perform appropriate vegetation management along roads per MOU between San Diego County Fire Chiefs Association and USFWS/CDFG.
- Remove or treat dead and diseased trees.
- Develop outreach program to educate residents about defensible space.
- Assist seniors and disabled in creating defensible space.
- Perform brush management around Otay Water District facilities – reservoirs, tanks, pump stations and distribution facilities - to protect public water system integrity in an emergency wildfire situation.
- Collaborate with SDG&E to ensure proper vegetation management around powerlines.

#### **Community Specific Projects**

##### **Bonita**

- Mitigate brush, annual dried grasses and dead weeds on Proctor Valley Road between San Miguel Road and Bonita Meadows, even into the City of Chula Vista, if possible.
- Use goats to remove fuels from 30+ acres of hillside Bonita Hills HOA property that is unmowed and dedicated native landscaping.
- On Bonita Hills HOA common area, prune large healthy trees (many are eucalyptus) and remove dead and diseased trees. Remove dead shrubbery and prune/thin green shrubbery.
- Identify high hazard areas of the Sweetwater Valley and reducing annual growth of dead/dying vegetation and trees that would assist in wildfire spread.
- Mitigate vegetation where Corral Canyon Rd and Chula Vista open space interface
- Maintain 100 feet of defensible space around single-family dwellings within the Bonita Highlands open space areas.

##### **Chula Vista**

- Provide assistance to homeowners to create 100' of defensible space (Funding for residents who are unable to perform the work themselves)
- Provide assistance to create 100" of defensible space on city property behind residences; extend defensible space beyond yards to that allowed by law.

- Assist seniors and disabled to prepare/maintain defensible space on their property
- Remove invasive species and dead vegetation in canyon bottoms to reduce high hazard fuel loads in compliance with MSCP and the MOU between USFWS and SD County Fire Chiefs Association.
- Provide professional fuel reduction services in open space areas, compliant with guidelines.
- Ensure annual or semi-annual maintenance of vegetation management
  - Encourage removal of non-native and invasive species
  - Address palm trees even outside of canyon area: removal of dead fronds
  - Ensure vegetation management is carried out in accordance with C.V. MSCP guidelines in order to reduce damage to native habitats
- Re-vegetate with native species
- Organize/Develop volunteer groups to perform vegetation management.
- Create 10 to 15 foot fire breaks (perpendicular to the canyon rim) in the center city canyons in accordance with MSCP guidelines.
- Remove dead/down materials, introduce new fire resistive ground cover (with deference given to native species and subject to fire department approval) and perform proper tree maintenance along Paseo del Rey

#### National City

- Perform vegetation management along highway corridor and Sweetwater River valley to create defensible space around homes and reduce exotic species.

#### Otay Mesa

- Perform regular brush management on city-owned parcels in Otay region

### **B. Existing Projects**

All fire departments/districts within the CWPP region conduct annual weed abatement and fire threat reduction programs. Abatement measures are conducted both through active on-site inspections of high hazard areas during the peak growing season and through community-generated complaints. All complaints are addressed by either written notifications, which are followed up, or personal contacts with the property owners.

Each municipality continues to enforce new construction fire codes.

A letter with drawings to homeowners in the Bonita WUI areas of the Fire District advised them on how to created defensible space around their property and dwellings.

An on-going project with the San Diego County Parks in the Sweetwater Regional Park area is reduction and/or thinning of non-natural vegetation overgrowth that, should wildfire occur, would threaten exit routes in the Bonita community. The Chula Vista Fire Department's Fire Prevention Division works cooperatively with the Fire District in mitigating fire hazards in bordering areas, as does CalTrans, Sweetwater Authority, San Diego Water Authority, Otay Water District, and San Diego County Parks.

Several municipalities within the CWPP region participated in the "Before the Threat" campaign on July 25, 2009 to reinforce and enhance on-going "Defensible Space" outreach efforts.

The municipalities of Bonita and Chula Vista are in the process of forming community Fire Safe Councils as a direct result of CWPP outreach efforts.



### SECTION III: TREATMENT OF STRUCTURAL IGNITABILITY

In cooperation with the County of San Diego, and the Southwest San Diego CWPP fire departments/district, the communities support and promote Firewise activities. The communities support and educate their citizens in ways to reduce structure ignitability through meeting County of San Diego Building and Fire Code requirements.

The partnership that exists between the listed organizations (federal, state, local, and citizens) allows the communities of CWPP region to reduce hazardous vegetative fuels that could ignite residences and commercial facilities during Santa Ana wind fire conditions. The Natural Resource Conservation Service has already declared removal of dead, dying, and diseased trees an "exigency" task. Maintaining properties with the appropriate defensible space is a key factor to protecting lives and property in the mountain community (*Fire Defensible Space and You...*, 2005).

Further steps to reduce structural ignitability in the SWSD CWPP region include:

- Educate homeowners about fire-safe building design and materials
- Educate homeowners beyond canyon rim (300ft) about importance of maintaining Zone 1 defensible space
- Provide education and incentives for homeowners to replace wood fencing and decking with ignition-resistant materials; install appropriate vents; box open eaves; install bird-stops for tile roofing; and install other fire-safe design features to meet current codes
- Educate community about defensible space/insurability/other fire safe issues.
- Apply new construction fire codes in the WUI.
- Reduce vegetation within 0 – 50 and 50 – 100 feet of structures.
- Reduce fuels in selected areas to stop wild fire spread.

The following actions were identified as steps the community can take to further prepare for wildfire:

- Form Fire Safe Council in cooperation with Fire Department and meet quarterly
- Improve signage for Motorcycles and other illegal activity in canyons to reduce ignitions
- Develop relationships with insurance companies
- Pursue partnerships with home improvement suppliers to obtain group rates for supplies and services
- Maintain canyon sprinkler system / Evaluate usefulness of a functioning community irrigation system
- Identifying WUI areas and other high hazard areas that would create entrapment zones should escape/exit routes be closed because of fire threat.
- Encourage the reporting of fire hazards to the Fire District/Department.
- Educate the public about planning for safe and prompt evacuation procedures should wildfire occur.
- Verify and ensure all addresses clearly identified; continue updating and verify.

#### **SECTION IV: SIGNATORS**

**The Community Wildfire Protection Plan developed for South West San Diego County:**

- Was collaboratively developed. Interested parties and federal land management agencies in the vicinity of South East San Diego County have been consulted.
- This plan identifies and prioritizes areas for hazardous fuel reduction treatments and recommends the types and methods of treatment that will protect South East San Diego County Communities
- This plan recommends measures to reduce ignitability of structures throughout the area addressed by the plan.

The following entities attest that the standards listed above are proposed to be met and mutually agree with the content of this Community Wildfire Protection Plan:

#### **UNINCORPORATED COMMUNITY**

##### **Mandatory Signature Page**

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**Local Fire Chief or Designated Signature**

Bonita/Sunnyside Fire Protection District

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**MUNICIPALITY**

**Mandatory Signature Page**

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**APPLICABLE GOVERNMENT (required)**

City of Chula Vista  
City Manager

---

**Local Fire Chief or Designated Signature**

Chula Vista Fire

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**Mandatory Signature Page**

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**APPLICABLE GOVERNMENT (required)**

National City

City Manager

---

**Local Fire Chief or Designated Signature**

National City Fire Department

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**MUNICIPALITY**

**Mandatory Signature Page**

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**APPLICABLE GOVERNMENT (required)**

City of San Diego  
City Councilmember

---

**Local Fire Chief or Designated Signature**

San Diego City Fire

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**MUNICIPALITY**

**Mandatory Signature Page**

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**APPLICABLE GOVERNMENT (required)**

City of Coronado

City Manager

---

**Local Fire Chief or Designated Signature**

Coronado Fire

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#### **MUNICIPALITY**

**Mandatory Signature Page**

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**APPLICABLE GOVERNMENT (required)**

City of Imperial Beach

City Manager

---

**Local Fire Chief or Designated Signature**

Imperial Beach Fire

#### **SECTION IV: SIGNATORS**

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#### **STATE AGENCY**

**Mandatory Signature Page**

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**STATE AGENCY (authorizing  
entity—required for finalization)**

California Department of Forestry  
and Fire Protection

*Chief Howard Windsor*



## Appendix A: References

### Documentation Affecting Fuels Reduction, Building Construction, and Community Fire Protection.

#### LIST OF REFERENCES:

1. County of San Diego Building Code, Attachment B  
[http://www.sdcounty.ca.gov/dplu/docs/amended\\_code\\_01-30-2008.pdf](http://www.sdcounty.ca.gov/dplu/docs/amended_code_01-30-2008.pdf)
2. County of San Diego Fire Code, Attachment A  
[http://www.sdcounty.ca.gov/dplu/docs/2009\\_Consolidated\\_Fire\\_Code.pdf](http://www.sdcounty.ca.gov/dplu/docs/2009_Consolidated_Fire_Code.pdf)
3. County of San Diego Code of Regulatory Ordinances, Title 6 Health and Sanitation, Division 8. Sewage and Refuse Disposal, Chapter 4. Removal of Combustible Vegetation and Other Flammable Materials (current code)
4. County of San Diego, OES *Hazard Mitigation Plan* (2004)
5. County of San Diego, *Fire, Defensible Space and You...* (2005) [www.wildfirezone.org](http://www.wildfirezone.org)
6. <http://frap.cdf.ca.gov> for additional maps, data, and documents
7. <http://www.cafirealliance.org> California Fire Alliance website for additional documents.
8. <http://wildfire.cr.usgs.gov/fireplanning> California Fire Alliance mapping tool for additional planning and documents.
9. [http://www.iafc.org/grants/wildland\\_fire.asp#downloads](http://www.iafc.org/grants/wildland_fire.asp#downloads)
10. <http://www.livingwithfire.com> Sample of information from Nevada Living with Fire program.
11. [www.sandiegofast.org](http://www.sandiegofast.org)
12. [www.firesafesdcounty.org](http://www.firesafesdcounty.org)
13. [www.firewise.org](http://www.firewise.org)
14. <http://www.bonitasunnysidefire.org/> Bonita/Sunnyside Fire Protection District website
15. <http://www.chulavistaca.gov/> Chula Vista website
16. <http://www.ci.national-city.ca.us> National City website
17. <http://www.sandiego.gov/fireandems/> San Diego Fire-Rescue Department website

## **Appendix B: Maps**

***Note: Maps and figures are currently in development and not available in this draft.***

Figure 1: *Area Map*

Figure 2: *Communities Map*

Shows the main population centers.

Figure 3: *Assets at Risk*

Shows improvements in the community according to the County Assessor. Some improvements, not in the Assessors parcels, may not be shown in this map.

Figure 4: *USGS Topographic Map*

Figure 5: *Fire Threat (modeled by CDF FRAP)*

Combines expected fire frequency with potential fire behavior to create 4 threat classes.

Figure 6: *Fire History 1910 – 2008 (CDF FRAP)*

Large fire history, generally 300-acre minimum for CDF fires since 1950 and 10-acre minimum for USFS fires since 1910, but many smaller fires as well.

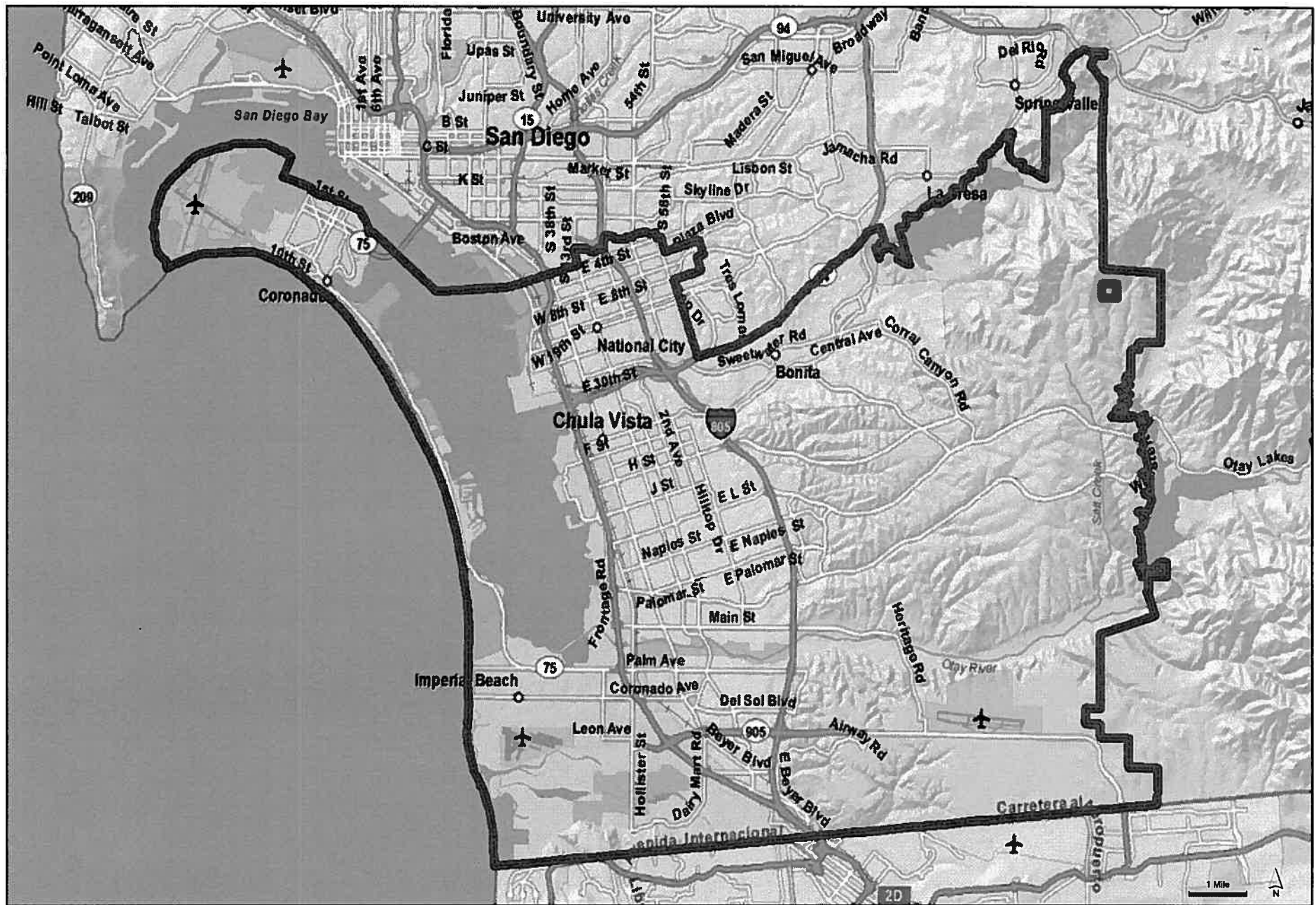
Figure 7: *Wild land-Urban Interface zone designations (CDF FRAP)*

Depicts areas where there is wildland fire threat to human development.

Figure 8: *Vegetation Classification*

Shows vegetation classified using Holland 95 classification schema. Last updated July 2005.

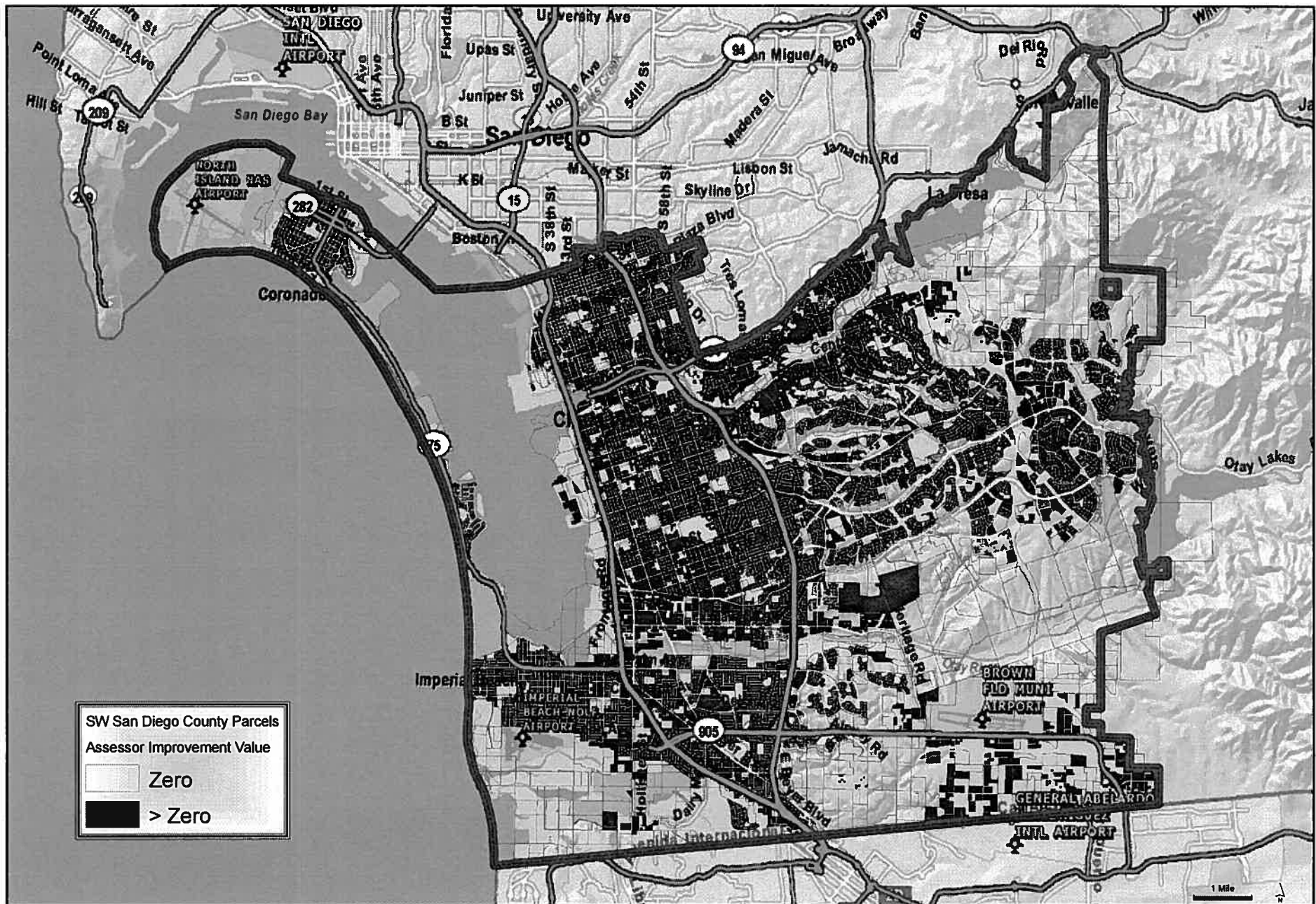




## Community Wildfire Protection Plan Southwest San Diego County Communities Map

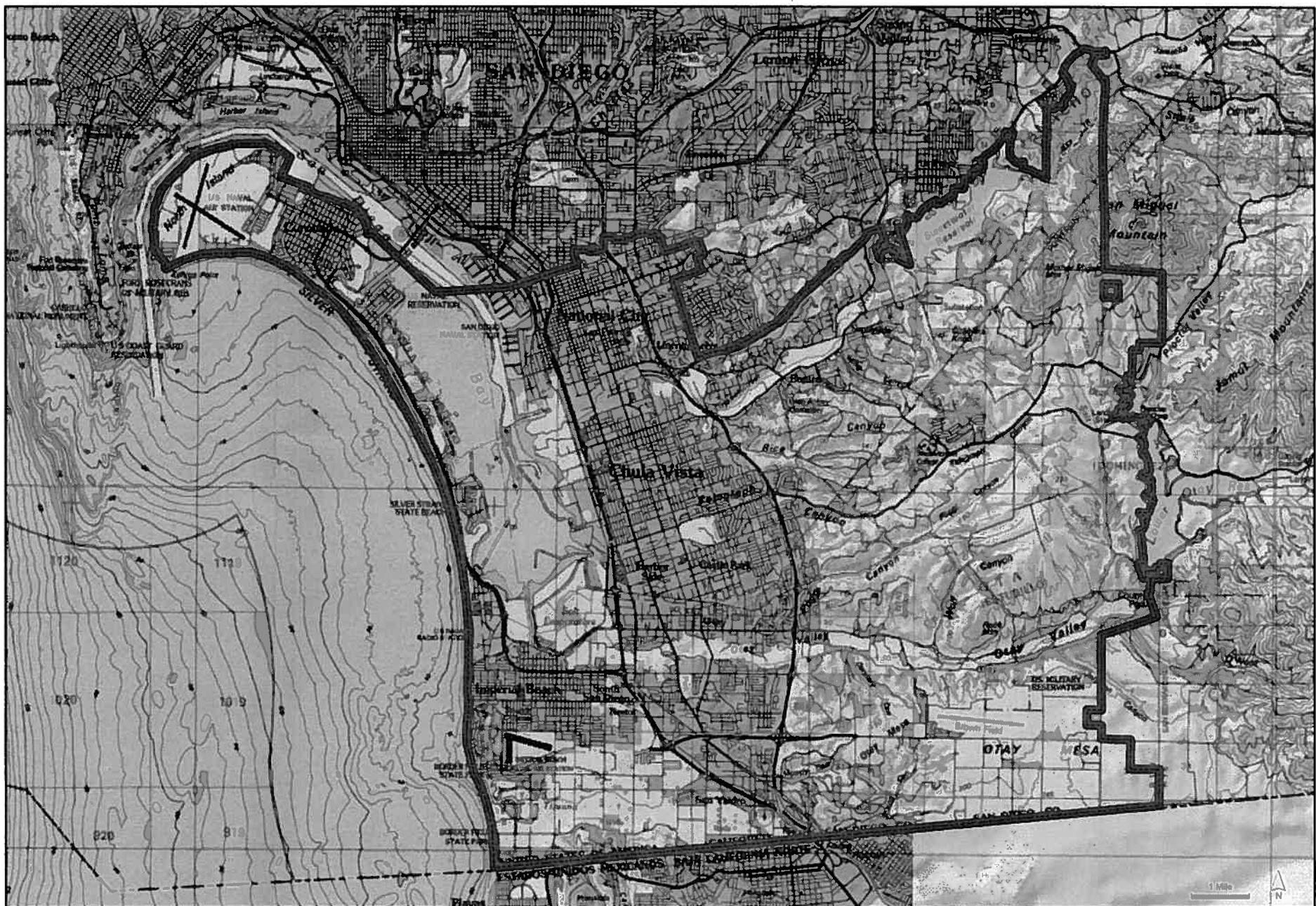
Funding provided by National Fire Plan grants from the US Fish and Wildlife Service and the US Forest Service through the California Fire Safe Council. Data Source: ESRI World map, US Fish and Wildlife Service, Resource Conservation District of Greater San Diego County, SanGIS GIS Specialist, Cheri Bryan, 26 Oct 2008.





## Community Wildfire Protection Plan Southwest San Diego County Assets at Risk

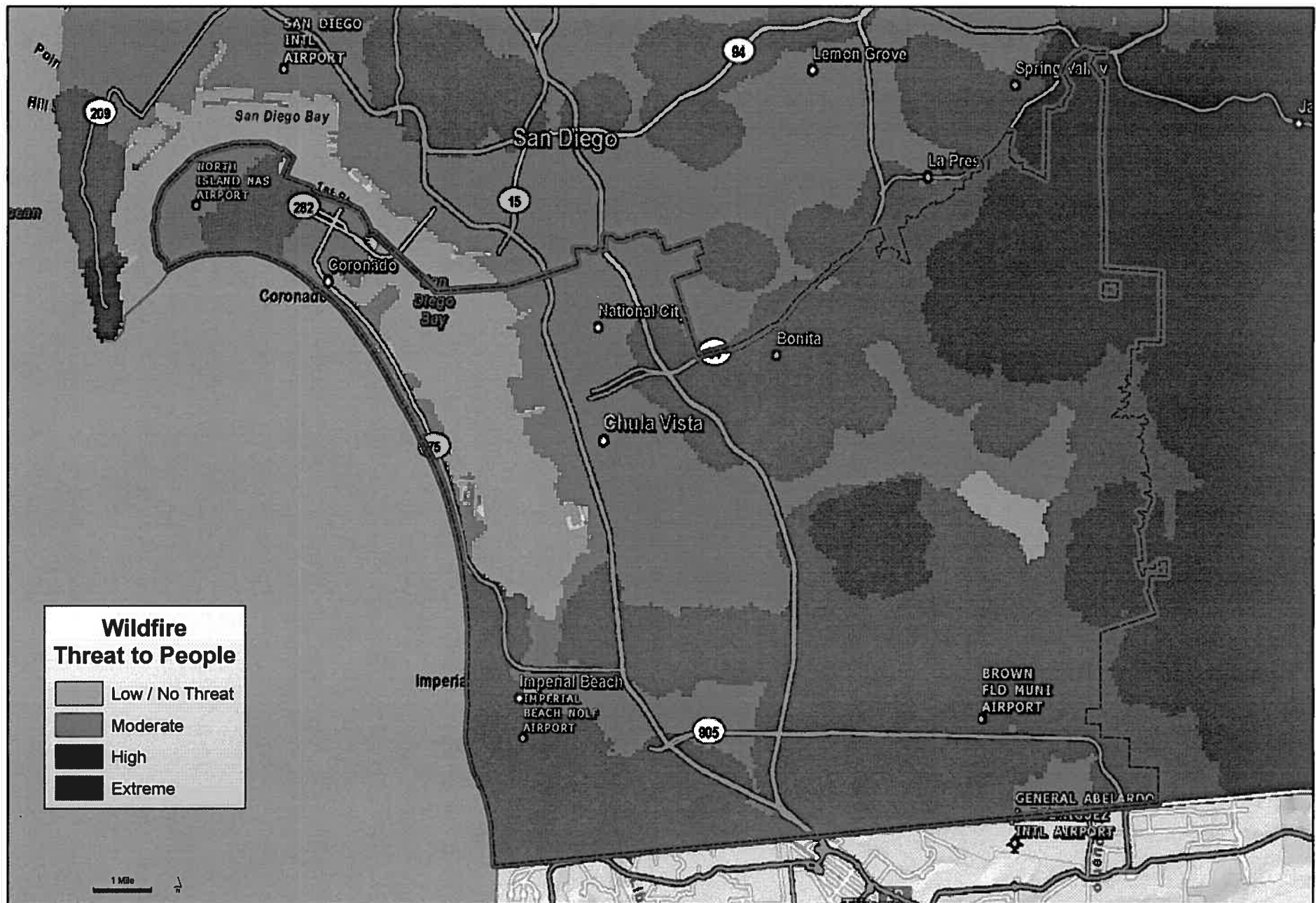
Funding provided by National Fire Plan grants from the U.S. Fish and Wildlife Service and the U.S. Forest Service through the California Fire Safe Council. Data Source: ESRI World map, U.S. Fish and Wildlife Service, Resource Conservation District of Greater San Diego County, GeoGIS, GIS Specialist: Quasi Bayne, 26 Oct 2009.



# **Community Wildfire Protection Plan** **Southwest San Diego County**      USGS Topographic Map

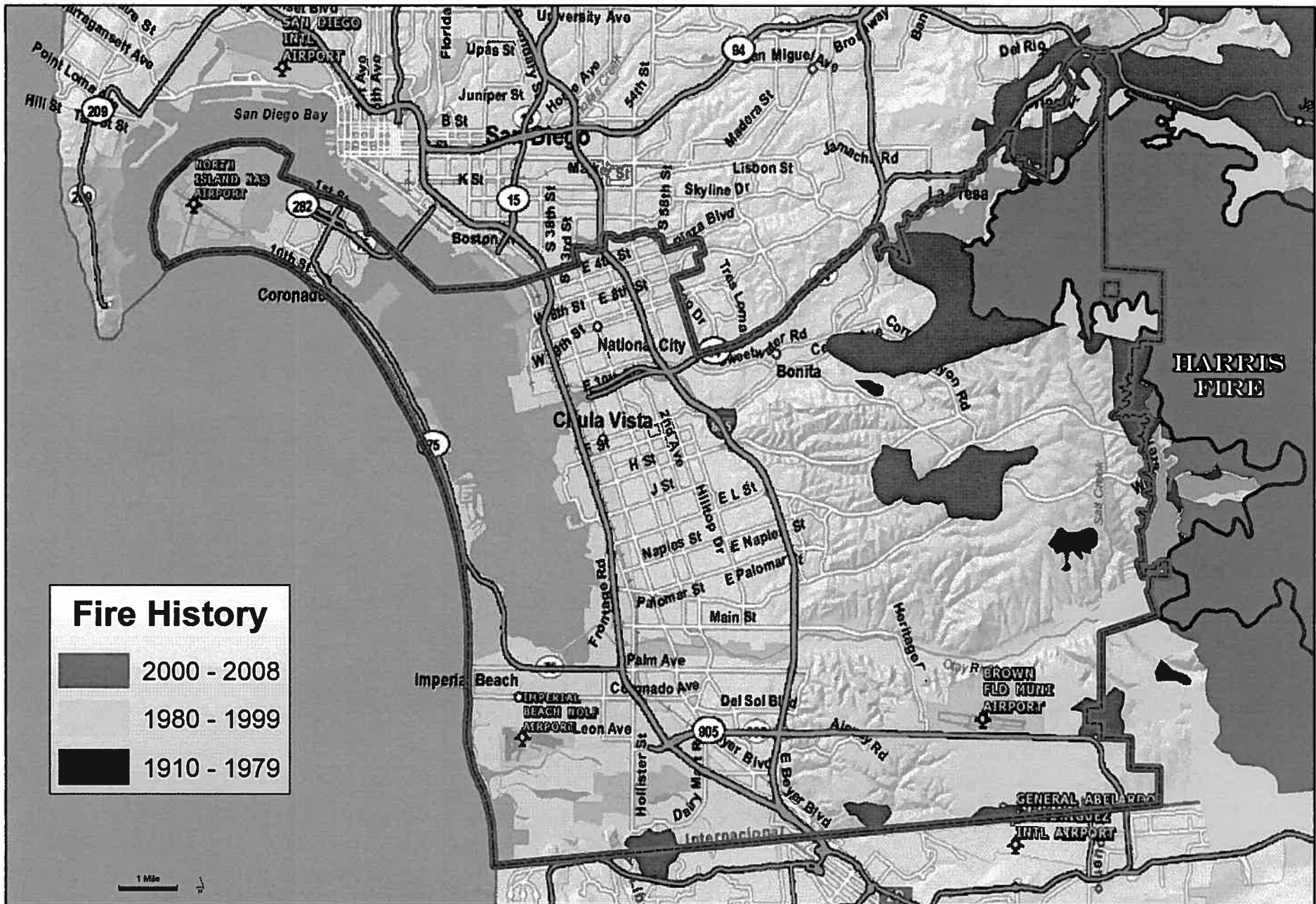
Funding provided by National Fire Plan grants from the US Fish and Wildlife Service and the US Forest Service through the California Fire Safe Council. Data Source: ESRI World map, US Fish and Wildlife Service, Resource Conservation District of Greater San Diego County, SanGIS GIS Specialist: Orion Boyles 25 Oct 2009.





## Community Wildfire Protection Plan Southwest San Diego County Wildfire Threat Map

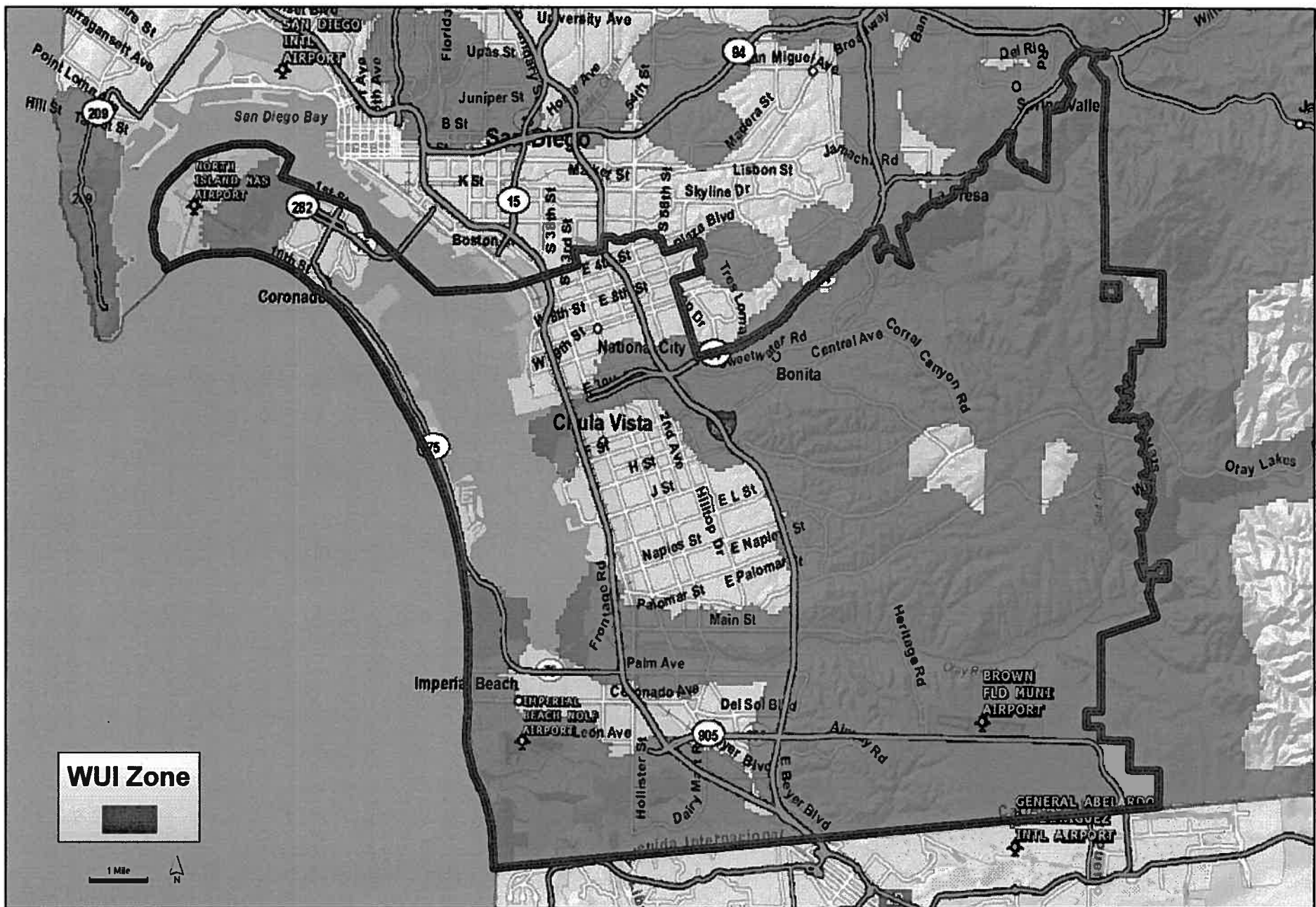
Funding provided by National Fire Plan grants from the U.S. Fish and Wildlife Service and the U.S. Forest Service through the California Fire Safe Council. Data Source: ESRI World map, U.S. Fish and Wildlife Service, Resource Conservation District of Greater San Diego County, SanGIS. GIS Specialist: Orson Brivins, 24 Sep 2000



## Community Wildfire Protection Plan Southwest San Diego County Fire History Map

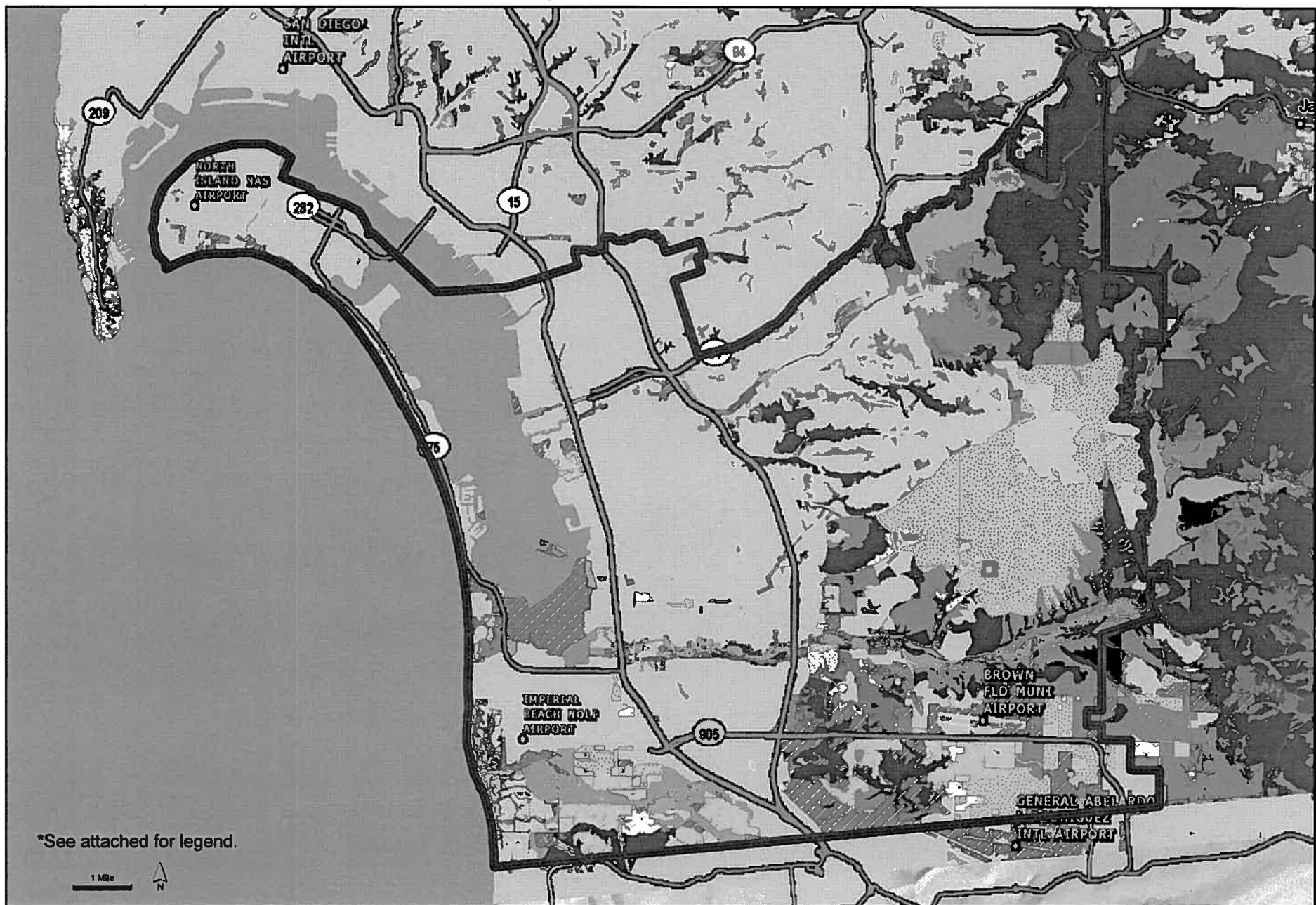
Funding provided by National Fire Plan grants from the US Fish and Wildlife Service and the US Forest Service through the California Fire Safe Council. Data Source: ESRI World map, US Fish and Wildlife Service, Resource Conservation District of Greater San Diego County, SanGIS GIS Specialist, Orion Boyles, 26 Oct 2009.





## Community Wildfire Protection Plan Southwest San Diego County Wildland-Urban Interface Map

Funding provided by National Fire Plan grants from the US Fish and Wildlife Service and the US Forest Service through the California Fire Safe Council. Data Sources: ESRI World map, US Fish and Wildlife Service, Resource Conservation District of Greater San Diego County, SanGIS. GIS Specialist: Orson Boylston, 26 Oct 2009.



## Community Wildfire Protection Plan Southwest San Diego County

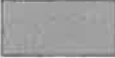

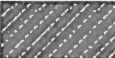


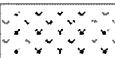
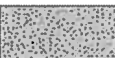





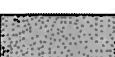




### Vegetation Map

Funding provided by National Fire Plan grants from the US Fish and Wildlife Service and the US Forest Service through the California Fire State Council. Data Source: ESRI World map, US Fish and Wildlife Service, Resource Conservation District of Greater San Diego County, SanGIS GIS Specialist, Cronin Bevine, 19 Oct 2006. Habitat95 vegetation classes have been aggregated for visual comprehension and not for scientific analysis.

# Southwest San Diego County CWPP

## Vegetation Map Key

### Vegetation Classes

	Non-Native Vegetation
	Eucalyptus Woodland
	Disturbed Wetland or Habitat
	Urban/Developed
	Water
	Agriculture
	Field/Pasture
	Maritime Succulent Scrub
	Chaparral: all types and distributions
	Diegan Coastal Sage Scrub
	San Diego Mesa Vernal Pool
	Grassland, Buckwheat or Meadow
	Marshes
	Riparian Woodlands & Forests
	Riparian/ Tamarix /Arundo donax or Southern Willow Scrub
	Oak Woodlands
	Oak or Coniferous Forests



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** MAY 4, 2010

**ORIGINATING DEPT.:** PUBLIC WORKS *HGB*

**SUBJECT:** A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF IMPERIAL BEACH TO SIGN THE FIRST AMENDMENT TO THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM REGIONAL STORM WATER COPERMITTEE MEMORANDUM OF UNDERSTANDING OF NOVEMBER 16, 2007

**BACKGROUND:**

Regional Water Quality Control Board Municipal Storm Water Permit R9-2007-0001 requires a memorandum of understanding (MOU) between the Copermittees to provide for a cooperative effort between the County of San Diego (County), the San Diego Unified Port District (Port), the San Diego County Regional Airport Authority (Airport), and the incorporated cities of San Diego, Carlsbad, Chula Vista, Coronado, Escondido, Imperial Beach, La Mesa, San Marcos, Del Mar, El Cajon, Encinitas, Lemon Grove, National City, Oceanside, Poway, Santee, Solana Beach, and Vista (Cities), collectively called Copermittees. Per the requirements of the Municipal Storm Water Permit, the City adopted Resolution No. 2007-6562 authorizing the City Manager to sign the Regional Storm Water Copermittee MOU of November 16, 2007. The MOU established shared program responsibilities for each Copermittee with respect to compliance with the National Pollutant Discharge Elimination System (NPDES) Permit as authorized by regulations administered by the United States Environmental Protection Agency (U.S. EPA) under the authority granted by the Federal Water Pollution Control Act (Clean Water Act) 33 USCA 1251 et seq. as amended.

**DISCUSSION:**

The First Amendment to the Regional Storm Water Copermittee MOU modifies Section II.B.3 of the MOU. Currently the MOU provides for the carry over of contributed funds from one fiscal year to another, but does not otherwise provide any direction regarding the refund of excess funds. The Co-permittees have suggested that the MOU should authorize the refund of funds that would otherwise only be authorized to be carried over from one fiscal year to another as credit. Section II.B.3 of the MOU entitled "Management and Payment of Funds" is hereby amended and restated to read as follows (Note: proposed changes are shown in underline only to draw attention to the text to be added and are not intended to be underlined for any other reason):

- a. For Regional General Programs, the Copermittees shall each pay a yearly assessment into a Regional General Program operations fund for their assigned portion of any Regional Shared Costs Budget approved pursuant to this MOU. The Regional

General Program operations fund shall be managed by the Regional Principal Permittee, or any other Permittee on approval of the Copermittees.

b. For Watershed General Programs, the Watershed Copermittees for each WMA shall each pay a yearly assessment into a Watershed General Program operations fund for their assigned portion of any Watershed Shared Costs Budget approved pursuant to this MOU. Each Watershed General Program operations fund shall be managed by the Watershed Lead Permittee, or any other Watershed Permittee on approval of the Watershed Copermittees.

c. The Copermittee managing each General Program operations fund shall provide Budget Balance and Expenditure Status Reports quarterly and following the end of each fiscal year. This shall include a detailed accounting of all costs and expenses in accordance with the adopted Work Plan and Shared Costs Budget, including those incurred by Copermittees providing Working Body Support, contracting services, in-kind services, or other applicable costs.

d. Each Copermittee shall pay invoices within 60 days of receipt from the Copermittee managing the applicable General Program operations fund.

e. Funds collected and not expended in any fiscal year shall be credited to the Copermittees' share of the next fiscal year's costs in accordance with the Copermittees' defined shared costs.

f. Copermittees providing Working Body Support, Contract Administration, in-kind services, or incurring other budgeted costs on behalf of other Copermittees shall provide documentation of those expenses as requested by the Copermittee managing the applicable General Program operations fund. They shall only receive credit for those expenses if a detailed accounting of all costs and expenses meeting the minimum standards agreed upon by the Copermittees has been provided.

g. Differences in the approved actual cost of expenses from those budgeted shall be either credited or added as appropriate to the amount of the Copermittee's share. In the event that any Copermittees' share of the next fiscal year's costs is less than the amount to be credited, the difference shall be refunded to the Copermittee. This provision shall be retroactive to include credits from FY 2008-09. Refunds shall be provided to Copermittees no later than 90 days after final accounting.

h. At its discretion, a Copermittee managing a General Program operations fund may, prior to the completion of a fiscal year, make payment to any Copermittee providing Working Body Support, Contract Administration, in-kind services, or incurring other budgeted expenditures on behalf of other Copermittees so long as all of the conditions of Section II. B.3.f above have been satisfied and there are sufficient funds available to make a payment without requiring additional contributions or jeopardizing program objectives. If for some reason excess payment is made, the Copermittee receiving the payment agrees to return the additional payment without any recourse against the managing Copermittee.

#### **ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

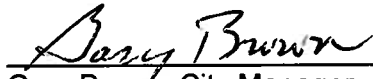
None

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Approve the modifications described above
3. Authorize the City Manager to sign the First Amendment to the Regional Storm Water Copermittee MOU.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

A handwritten signature in cursive script, appearing to read "Gary Brown", is written over a horizontal line.

Gary Brown, City Manager

**Attachments:**

1. Resolution No. 2010-6883

**RESOLUTION NO. 2010-6883**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER OF THE CITY OF IMPERIAL BEACH TO SIGN THE FIRST AMENDMENT TO THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM REGIONAL STORM WATER COPERMITTEE MEMORANDUM OF UNDERSTANDING OF NOVEMBER 16, 2007**

**WHEREAS**, on January 24, 2007, the Regional Water Quality Control Board – Region 9 issued the Municipal Storm Water Permit, Order No. R9-2007-0001; and

**WHEREAS**, the Order requires a memorandum of understanding (MOU) between the Copermittees to provide for a cooperative effort; and

**WHEREAS**, the City adopted the MOU at the City Council meeting on December 5, 2007 in Resolution No. 2007-6562; and

**WHEREAS**, currently the MOU provides for the carry over of contributed funds from one fiscal year to another, but does not otherwise provide any direction regarding the refund of excess funds

**WHEREAS**, the Co-permittees have suggested that the MOU should authorize the refund of funds that would otherwise only be authorized to be carried over from one fiscal year to another as credit; and

**WHEREAS**, the Public Works Director and City Attorney reviewed the First Amendment to the MOU and recommends its approval by City Council.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. The First Amendment to the Copermittee MOU is approved.
3. The City Manager is authorized and directed to sign the First Amendment to the National Pollution Discharge Elimination System Regional Storm Water Copermittee MOU of November 16, 2007.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 4<sup>th</sup> day of May, 2010, by the following vote:

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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**JACQUELINE M. HALD, CMC**  
**CITY CLERK**



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** MAY 4, 2010

**ORIGINATING DEPT.:** PUBLIC WORKS *HGB*

**SUBJECT:** PUBLIC HEARING AND FIRST READING OF ORDINANCE TO  
CONSIDER ADOPTION OF THE SEWER SERVICE CHARGE  
FOR FISCAL YEAR 2011

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**BACKGROUND:** Pursuant to Chapter 13.06 of the Imperial Beach Municipal Code, a sewer service fee is charged to all residential and non-residential customers in the city limits of the City of Imperial Beach that discharge sewage into the sewer lines maintained by the city, or is considered by the San Diego Metropolitan Sewer System to be within the city jurisdiction. Ordinance 2005-1030, Section 2, adopted by Council on July 20, 2005 states:

"Ordinance 2005-1030, Section 2:

"The rates established hereunder shall increase each July 1st, beginning in the year 2006 through July 1, 2010, inclusive, by the amount of five and one-half percent (5.5%) to account for expected increased costs of sewer service. Rates, beginning in July 1, 2011 and thereafter, will be adjusted based on the United States Bureau of Labor Statistics Consumer Price Index data for the Los Angeles-Riverside-Orange County Statistical Area, or by a more appropriate future determiner of Imperial Beach Cost of Living that may be developed. Prior to the scheduled increase each year, the City Council shall hold a public hearing in conjunction with the process of adoption or review of the City budget adoption of the annual City budget to determine if there are costs reasonably borne by the City to justify the annual increase established hereunder. If the City Council determines that the actual costs of the sewer program do not require the automatic annual increase, the City Council shall amend the sewer rates to reflect the actual costs of service, including adequate reserves for contingencies. Nothing herein prevents the City Council from enacting fees that cover the actual costs of the sewer program."

Imperial Beach Municipal Code 13.06.080. Single-Family rate limit. reads –

"Notwithstanding Section 13.06.140 of this chapter, single family residential ratepayers shall have an annual rate limit of six hundred dollars per household. This limit shall increase at the rate of the cost of living factors implemented on an annual basis under Section 13.06.140 of this chapter and its implementing Ordinance No. 2005-1030 (Ordinance 2005-1035 § 2, 2005)."



The calculated annual Single –Family Rate Limit is as follows:

FISCAL YEAR	AMOUNT	5.5% INCREASE	TOTAL RATE LIMIT
2005/2006	\$600	\$33	\$633
2006/2007	\$633	\$35	\$668
2007/2008	\$668	\$37	\$705
2008/2009	\$705	\$39	\$743
2009/2010	\$743	\$41	\$784
2010/2011	\$784	\$43	\$827

Since the sewer service charges are codified in the Imperial Beach Municipal Ordinance, changes to the sewer service charges must be made through a new ordinance. And, since the ordinance proposes a change in a sewer service fee, a public hearing must be held to effect sewer service fee changes.

Additionally in the recent California Supreme Court decision (*Bighorn-Desert View Water Agency v. Verjil*, (2006) 39 Cal. 4<sup>th</sup> 205), the court ruled that a public agency's water rate and charges for ongoing water delivery are subject to the initiative provision of Article 13C, Section 3, as added to the California Constitution by Proposition 218. The *Bighorn* decision raises concerns about the applicability of this decision relative to waste water (sewer) service charges, particularly with regard to public noticing requirements. In an abundance of caution, City Council directed staff to notice a 45-day public hearing period and for staff to mail notices of the proposed fee increase to all affected property owners.

**DISCUSSION:** On March 17, 2010, City Council set the public hearing and first reading of the ordinance for the May 4, 2010, regular City Council meeting. The following adoption schedule was approved:

- Mail the 45-day notice no later than March 21, 2010
- Public Hearing and First Reading of Ordinance, May 4, 2010
- Second Reading of Ordinance, May 19, 2010

The 5.5% adjustment for the year starting July 1, 2010, is shown on the below table:

<b>Revised Sewer Rates FY 2010/11 FOR ANNUAL BILL CALCULATIONS</b>			
<i>City of Imperial Beach</i>			
<b>Customer Class</b>		Current Rate (2009/10) (a)	Requested (2010/11) Sewer Rates (b)
Single-Family Residential (c)	Class 1		
Volume-based Rate	Class 1	\$2.2782	\$2.4035
Annual Base Charge	Class 1	\$153.5399	\$161.9846
Multi-Family Residential	Class 2	\$3.8678	\$4.0805
Rest./Bakeries/Mort./Groc.	Class 3	\$7.4023	\$7.8094
Small Commercial	Class 4	\$3.8444	\$4.0558
Car Wash/Laundries	Class 5	\$3.5042	\$3.6969
Public Agency/Institutional	Class 6	\$3.2452	\$3.4237
Heavy Commercial	Class 7	\$6.7598	\$7.1316
Mixed Use Light	Class 8	\$3.9202	\$4.1358
Mixed Use Heavy	Class 8.5	\$5.7047	\$6.0185
Navy	Class 9	\$4.4390	\$4.6831
<b>Sewer Unit Charges – by Treatment Parameter</b>			
Volume Charges (\$/HCF)		\$3.0836	\$3.2532
Strength Surcharges – BOD (\$/lb)		\$0.5186	\$0.5471
Strength Surcharges – TSS (\$/lb.)		\$0.4816	\$0.5081

- (a) Current rates effective July 1, 2009
- (b) 5.5% increase per Ordinance No. 2005-1030, Section 2
- (c) Maximum Single Family residential rate cap is \$827.12

As of the time of the preparation of this staff report, staff has received:

- 8 telephonic inquiries regarding the notice to adjust the rate
- 1 telephonic complaint regarding the notice to adjust the rate
- 1 written objections to the notice to adjust the rate

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

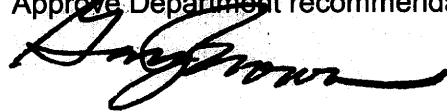
The Ordinance will increase the cost of sewer service by 5.5% across the board for all sewer customers.

**DEPARTMENT RECOMMENDATION:**

1. Open the Public Hearing.
2. Receive this report.
3. Receive public testimony.
4. Close the public hearing
5. Mayor calls for the reading of the title of Ordinance No. 2010-1103 an Ordinance of the City Council of the City of Imperial Beach, California, adopting the revised sewer service rates for sanitary sewer service and amending section 13.06.140.B of Chapter 13.06 of the Imperial Beach Municipal Code pertaining to sewer service charges designated.
6. City Clerk to read title of the Ordinance No. 2010-1103.
7. Motion to dispense the first reading and set the matter for adoption at the next regularly scheduled City Council meeting.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.



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Gary Brown, City Manager

**Attachments:**

1. Ordinance No. 2010-1103

**ORDINANCE NO. 2010-1103**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH CALIFORNIA ADOPTING THE REVISED SEWER SERVICE RATES FOR SANITARY SEWER SERVICE AND AMENDING SECTION 13.06.140.B OF CHAPTER 13.06 OF THE IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO SEWER SERVICE CHARGES - DESIGNATED**

**WHEREAS**, On July 20, 2005, City Council adopted Ordinance No. 2005-1030 revising the sewer service fee in Fiscal Year 2006; and

**WHEREAS**, Ordinance 2005-1030, Section 2 stated, "The rates established hereunder shall increase each July 1st, beginning in the year 2006 through July 1, 2010, inclusive, by the amount of five and one-half percent (5.5%) to account for expected increased costs of sewer service"; and

**WHEREAS**, in subsequent Fiscal Years 2007, 2008, 2009, and 2010 the Sewer Service Charges were increased by 5.5% respectively; and

**WHEREAS**, Rates, beginning in July 1, 2011 and thereafter, will be adjusted based on the United States Bureau of Labor Statistics Consumer Price Index data for the Los Angeles-Riverside-Orange County Statistical Area, or by a more appropriate future determiner of Imperial Beach Cost of Living that may be developed; and

**WHEREAS**, the increased costs of sewer service does not exceed the actual cost of providing service.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AS FOLLOWS:**

Section 1: Section 13.06.140.B is hereby amended to read as follows:

"B. Said service charges are based upon the Foresight Consulting Sewer Rate Study, June 2005. Annual sewer service charges will be determined by applying the volume charge per hundred cubic feet (HCF) for each customer classification to each premises as determined by the water utility meter readings for the prior year, and the suspended solids (SS) and biological oxygen demand (BOD) content for such volume.

<b>Revised Sewer Rates FY 2010/11 FOR ANNUAL BILL CALCULATIONS</b>			
<i>City of Imperial Beach</i>			
<b>Customer Class</b>		<b>Current Rate (2009/10) (a)</b>	<b>Requested (2010/11) Sewer Rates (b)</b>
Single-Family Residential (c)	Class 1		
Volume-based Rate	Class 1	\$2.2782	\$2.4035
Annual Base Charge	Class 1	\$153.5399	\$161.9846
Multi-Family Residential	Class 2	\$3.8678	\$4.0805
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Small Commercial	Class 4	\$3.8444	\$4.0558
Car Wash/Laundries	Class 5	\$3.5042	\$3.6969
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Mixed Use Light	Class 8	\$3.9202	\$4.1358
Mixed Use Heavy	Class 8.5	\$5.7047	\$6.0185
Navy	Class 9	\$4.4390	\$4.6831
<b>Sewer Unit Charges – by Treatment Parameter</b>			
Volume Charges (\$/HCF)		\$3.0836	\$3.2532
Strength Surcharges – BOD (\$/lb)		\$0.5186	\$0.5471
Strength Surcharges – TSS (\$/lb.)		\$0.4816	\$0.5081

- (a) Current rates effective July 1, 2009  
(b) 5.5% increase per Ordinance No. 2005-1030, Section 2  
(c) Maximum Single Family residential rate cap is \$827.12

Section 2: This ordinance shall become effective thirty (30) days following its passage and adoption.

Section 3: The City Council of the City of Imperial Beach hereby declares that should any section, paragraph, sentence, phrase, term or word of this Ordinance, hereby adopted, be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this Ordinance irrespective of any such portion declared invalid.

**INTRODUCED AND FIRST READ** at a regular meeting of the City Council of the City of Imperial Beach, held on the 4<sup>th</sup> day of May 2010, and thereafter **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, held on the 19<sup>th</sup> day of May 2010 by the following roll call vote:

**AYES:**           **COUNCILMEMBERS:**  
**NOES:**          **COUNCILMEMBERS:**  
**ABSENT:**       **COUNCILMEMBERS:**

**JAMES C. JANNEY, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JACQUELINE M. HALD**  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**JENNIFER LYON**  
**CITY ATTORNEY**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be true and exact copy of Ordinance No. 2010-1103, Adopting The Revised Sewer Service Rates For Sanitary Sewer Service And Amending Section 13.06.140.B Of Chapter 13.06 Of The Imperial Beach Municipal Code Pertaining To Sewer Service Charges - Designated

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE



AGENDA ITEM NO. 4.1

**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: GARY BROWN, CITY MANAGER**

**MEETING DATE: MAY 4, 2010**

**ORIGINATING DEPT.: HANK LEVIEN, PUBLIC WORKS DIRECTOR  
JENNIFER M. LYON, CITY ATTORNEY**

**SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE  
NO. 2010-1101 – AN ORDINANCE OF THE CITY  
COUNCIL OF THE CITY OF IMPERIAL BEACH,  
CALIFORNIA, AMENDING THE IMPERIAL BEACH  
MUNICIPAL CODE RELATING TO USE OF VETERANS  
PARK YOUTH SOCCER FIELD IN THE CITY OF  
IMPERIAL BEACH BY AMENDING SECTION 12.56.010  
AND ADDING SECTION 12.56.065 TO CHAPTER 12.56**

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**BACKGROUND:**

The City of Imperial Beach ("City") has created the Veterans Park Youth Soccer Field ("Soccer Field") utilizing synthetic turf for the playing surface. This synthetic turf is the same as that utilized on professional and collegiate playing fields. The city invested nearly \$400,000 to design, purchase and install the turf. Due to the properties of this artificial turf, special care must be taken that the surface of the field is not damaged as a result of misuse.

On March 3, 2010, the City Council approved an agreement with Boys & Girls Club to provide for the management and scheduling of the Soccer Field. The agreement provides that the Boys and Girls Club will schedule sports activities and otherwise provide specified management services related to the use of the Soccer Field. Under this agreement, the City is required to develop and establish user policies and applicable fees for the Soccer Field.

The City Council has already set fees and established deposits to be used to repair potential damage and to maintain the field. In order to help further minimize maintenance and repair costs, the City is proposing regulations to be applied to the Soccer Field. These use policies and regulations are primarily directed at prohibiting certain activities and/or certain sports equipment, including some types of shoes, that are known to damage or cause unnecessary wear to synthetic turf. The City intends to post signs containing these policies and regulations at the Soccer Field.

**DISCUSSION:**

The City is directed to set fees and establish use policies and regulations pursuant to the agreement between the City and the Boys and Girls Club. In order to regulate the use of the

Soccer Field to keep it safe, clean and in good repair, the IBMC will need to be amended to set out these policies and regulations aimed primarily at preserving the surface of the field. The proposed ordinance will also set out policies regarding the use of the field by the general public when the field is not reserved for use in league sports activities.

The first reading of this ordinance was conducted on April 21, 2010.

**FISCAL IMPACT:**

Costs associated with the posting of signs containing the policies and regulations at the Soccer Field

**DEPARTMENT RECOMMENDATION:**

Staff Recommends the Mayor and City Council:

1. Receive this report;
2. Mayor calls for the reading of the title of Ordinance No. 2010-1101 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING THE IMPERIAL BEACH MUNICIPAL CODE RELATING TO USE OF VETERANS PARK YOUTH SOCCER FIELD IN THE CITY OF IMPERIAL BEACH BY AMENDING SECTION 12.56.010 AND ADDING SECTION 12.56.065 TO CHAPTER 12.56"
3. City Clerk to read Ordinance 2010-1101;
4. Motion to dispense with the second reading and adopt Ordinance No. 2010-1101 by title only.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
Gary Brown, City Manager

Attachment:

1. Ordinance 2010 -1101.

**ORDINANCE NO. 2010-1101**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH,  
CALIFORNIA, AMENDING THE IMPERIAL BEACH MUNICIPAL CODE  
RELATING TO USE OF VETERANS PARK YOUTH SOCCER FIELD IN THE  
CITY OF IMPERIAL BEACH BY AMENDING SECTION 12.56.010 AND ADDING  
SECTION 12.56.065 TO CHAPTER 12.56**

**WHEREAS**, the City of Imperial Beach ("City") has created Veterans Park Youth Soccer Field to better serve the recreational interests of its citizens; and

**WHEREAS**, the City of Imperial Beach intends to promulgate use policies and regulations for the Veterans Park Youth Soccer Field.

**NOW, THEREFORE**, the City Council of Imperial Beach hereby ordains as follows:

**SECTION 1.** Section 12.56.010, of Chapter 12.56 of the Imperial Beach Municipal Code (Use of Public Parks and Facilities) is hereby amended to read as follows:

**"12.56.010. Definitions.**

For the purpose of this chapter, the following definitions shall apply:

"Camp" shall mean to reside in or use a park for living accommodation purposes, as exemplified by remaining for prolonged or repetitious periods of time not associated with ordinary recreational use of a park with one's personal possessions (including but not limited to clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar material), sleeping or making preparations to sleep, storing personal belongings as above defined, regularly cooking or consuming meals, or living in a parked vehicle. These activities constitute camping when it reasonably appears, in light of all the circumstances, that the participants, in conducting these activities, are in fact using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may also be engaging.

"Public building" means any building owned or leased by the city.

"Public facility" means any place, structure, area or other facility, owned, maintained or controlled by the city, not including public streets and sidewalks.

"Public parking lot" means any place, structure or area owned or leased by the city and operated as an off-street parking facility.

"Public park" means and includes all dedicated parks and traffic islands maintained by the city, including the Sports Park and Veterans Park Youth Soccer Field as defined herein.

"Public playground" means a place, structure, area, or other facility under the jurisdiction of the government body of the city used for community recreation purposes such as playing fields or courts, swimming pools, gymnasiums, auditoriums and meeting places.



"Sports Park" means the city's Sports Park located at 425 Imperial Beach Boulevard.

"Soccer Field" means the city's Veterans Park Youth Soccer Field located at 1075 8<sup>th</sup> Street."

**SECTION 2.** Section 12.56.065 is added to Chapter 12.56 (Use of Public Parks and Facilities) of the Imperial Beach Municipal Code to read as follows:

**"12.56.065. Soccer Field – Use and regulations."**

In addition to the rules and regulations found in this Chapter 12.56 and Section 8.84.030(12) of Chapter 8.84, the following policies and restrictions shall also apply to use of the Soccer Field:

A. The Boys & Girls Club of Imperial Beach ("Club") shall be responsible for scheduling the use of the Soccer Field for organized sporting events pursuant to provisions of the Memorandum of Understanding Between the Boys and Girls Club of Imperial Beach and the City of Imperial Beach approved by the City Council as that document may be amended from time to time (the "MOU").

B. The City shall, from time to time by resolution, establish applicable fees for use of the Soccer Field.

C. Unless the Soccer Field is reserved for use in an organized sporting event coordinated by the Club by a sports league as provided in the MOU, the Soccer Field shall be available for use by members of the general public on a first come – first served basis.

D. It is unlawful for any person or group of persons, who have not reserved the Soccer Field as provided in the MOU, to fail or refuse to promptly leave the Soccer Field following a request to do so by a representative of the Club, other City representative, or law enforcement officer.

E. Golfing is prohibited on the field.

F. Every player using the Soccer Field shall clean his or her footwear prior to accessing the field to avoid soiling or staining the field from dirt or mud.

G. Users must wear molded cleats or other athletic shoes only, metal cleats or "V" cleats are prohibited.

H. Sharp objects, including tent stakes, corner flags, or other objects that can penetrate the surface of the field, are prohibited.

I. Only freestanding field markers and sports equipment may be used on the field.

J. Food items are prohibited on the field, including but not limited to, chewing gum, sunflower seeds, chewing tobacco, cigarettes, and sports drinks. Water is allowed.

K. No pets are allowed on the field.

L. Bicycles or other unapproved vehicles are prohibited on the field.

- M. Only approved athletic equipment may be used on the field.
- N. All trash and refuse must be deposited in a park trash receptacle.
- O. Only the gates shall be utilized to enter and exit the field. "Fence hopping," or sitting on the fence is prohibited.

**SECTION 3.** Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of any other portion of this Ordinance and, to that end, the provisions of this Ordinance are severable.

**SECTION 4.** The City Clerk is directed to prepare and have published a summary of this ordinance no less than five days prior to the consideration of its adoption and again within 15 days following adoption indicating votes cast.

**EFFECTIVE DATE:** This Ordinance shall be effective thirty (30) days after its adoption.

**INTRODUCED AND FIRST READ** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 21st day of April, 2010; and

**THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 4th day of May, 2010, by the following vote:

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>

\_\_\_\_\_  
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**JENNIFER M. LYON**  
**CITY ATTORNEY**

**I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Ordinance No. 2010-1101, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING THE IMPERIAL BEACH MUNICIPAL CODE RELATING TO USE OF VETERANS PARK YOUTH SOCCER FIELD IN THE CITY OF IMPERIAL BEACH BY AMENDING SECTION 12.56.010 AND ADDING SECTION 12.56.065 TO CHAPTER 12.56**

\_\_\_\_\_  
JACQUELINE HALD, CITY CLERK

\_\_\_\_\_  
DATE



AGENDA ITEM NO. 4.2

**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: GARY BROWN, CITY MANAGER**

**MEETING DATE: MAY 4, 2010**

**ORIGINATING DEPT.: GARY BROWN, CITY MANAGER  
JENNIFER M. LYON, CITY ATTORNEY**

**SUBJECT: SECOND READING AND ADOPTION OF ORDINANCE NO. 2010-1102 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTION 3.24.150 (AUDIT AND AUDIT EXPENSES) OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COLLECTION OF TRANSIENT OCCUPANCY TAXES**

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**BACKGROUND:**

The City currently collects a Transient Occupancy Tax ("TOT") pursuant to Imperial Beach Municipal Code Chapter 3.24. The TOT revenue is used to pay for general municipal services out of the City's General Fund. The City Council established certain goals for the City Manager in 2009, one of which was to initiate measures to improve fiscal stability. On January 20, 2010, the City Manager updated the City Council on this goal and advised the City Council that the City would begin auditing of operators who collect the TOT. In order to implement a periodic auditing program, the existing Section 3.24.150 was reviewed by the City Manager and City staff and is now being proposed to be amended.

**DISCUSSION:**

Section 3.24.150 of the Imperial Beach Municipal Code currently states "[i]f the tax administrator is of the opinion that there is a likelihood that an operator has understated the amount of tax due on the report required to be filed pursuant to Section 3.24.080, he/she may require that the operator's books and records be audited to determine the accuracy of the report." This section arguably limits the City's ability to conduct an audit only when there is a good faith belief that an operator has failed to accurately report the amount of tax collected. However, Section 3.24.070 "Recordkeeping," states that an

operator has a duty to collect and remit payment to the City and to keep all records for three years, "which records the tax administrator shall have the right to inspect at all reasonable times."

In order to harmonize these sections, Section 3.24.150 is proposed to be amended as follows:

**3.24.150. Audit and audit expenses.**

~~If the tax administrator is of the opinion that there is a likelihood that an operator has understated the amount of tax due on the report required to be filed pursuant to Section 3.24.080, he/she or any authorized agent of the City may conduct periodic audits of the books and records of any operator require that the operator's books and records be audited in order to determine compliance with this Chapter. determine the accuracy of the report.~~ The audit shall be conducted upon the premises of the operator's place of business within the city, during normal business hours, and shall be conducted by a firm of independent public accountants selected by the tax administrator. The city council shall from time to time approve, by resolution, standard hourly fees to be charged by such public accountants. In the event the independent public accountants determine that the questioned report understated the tax due by more than ten percent, the cost of such audit shall be borne by the operator and paid to the city within ten days of the tax administrator billing the operator for such audit expense. Such audit expense shall be a debt owed to the city and subject to the provisions of Section 3.24.120. A finding that the report understated the tax due by more than ten percent shall constitute a conclusive finding of fraud pursuant to Section 3.24.140(D), and the operator shall be liable for the penalty provided for by said Section 3.24.140(D). The determination made by the independent public accountant shall be subject to an appeal by the operator pursuant to Section 3.24.100.

The amendment would not trigger the requirement for voter approval of taxes because it does not seek to impose the tax on a different class of individuals or increase the existing tax- it applies only to the manner in which the tax is administered and collected.

The first reading of this ordinance was conducted on April 21, 2010.

**ENVIRONMENTAL DETERMINATION:**

The proposed amendment to Chapter 3.24 is not a "project" as defined by CEQA Guidelines section 15378(b)(2) and 15378(b)(4). Therefore, no further environmental review is required under the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(3).

**FISCAL IMPACT:**

There are no fiscal impacts associated with adopting the proposed amendment.

**DEPARTMENT RECOMMENDATION:**

Staff Recommends the Mayor and City Council:

1. Receive this report;
2. Mayor calls for the reading of the title of Ordinance No. 2010-1102 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTION 3.24.150 (AUDIT AND AUDIT EXPENSES) OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COLLECTION OF TRANSIENT OCCUPANCY TAXES"
3. City Clerk to read title of Ordinance 2010-1102;
4. Motion to dispense with the second reading and adopt Ordinance No. 2010-1102 by title only.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

A handwritten signature in black ink, appearing to read "Gary Brown", is written over a horizontal line.

Gary Brown, City Manager

**Attachments:**

1. Ordinance No. 2010-1102

**ORDINANCE NO. 2010-1102**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTION 3.24.150 (AUDIT AND AUDIT EXPENSES) OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COLLECTION OF TRANSIENT OCCUPANCY TAXES**

**WHEREAS**, the City of Imperial Beach, pursuant to Chapter 3.24 of the Imperial Beach Municipal Code, collects a Transient Occupancy Tax from persons staying in hotels and other transient lodging facilities in the City; and,

**WHEREAS**, operators of transient lodging facilities are, pursuant to Section 3.24.050, required to collect the appropriate amount of Transient Occupancy Tax from those persons staying in their facilities; and,

**WHEREAS**, the current Section 3.24.150 permits the City to audit the records of operators under certain circumstances; and,

**WHEREAS**, the City desires to clarify the audit requirements in order to ensure that the Transient Occupancy Tax is being accurately collected and remitted to the City.

**NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AS FOLLOWS:**

**Section 1:** Existing Section 3.24.150 (Audit and audit expenses) is repealed and replaced with the following:

**“3.24.150. Audit and audit expenses.**

The tax administrator or any authorized agent of the City may conduct periodic audits of the books and records of any operator to determine compliance with this Chapter. The audit shall be conducted upon the premises of the operator's place of business within the city, during normal business hours, and shall be conducted by a firm of independent public accountants selected by the tax administrator. The city council shall from time to time approve, by resolution, standard hourly fees to be charged by such public accountants. In the event the independent public accountants determine that the questioned report understated the tax due by more than ten percent, the cost of such audit shall be borne by the operator and paid to the city within ten days of the tax administrator billing the operator for such audit expense. Such audit expense shall be a debt owed to the city and subject to the provisions of Section 3.24.120. A finding that the report understated the tax due by more than ten percent shall constitute a conclusive finding of fraud pursuant to Section 3.24.140(D), and the operator shall be liable for the penalty provided for by said Section 3.24.140(D). The determination made by the independent public accountant shall be subject to an appeal by the operator pursuant to Section 3.24.100.”

**Section 2: Effective Date:** This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Imperial Beach shall cause a summary of this Ordinance to be published pursuant to the provisions of Government Code section 36933.

**Section 3: Severability:** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason declared to be void, unconstitutional or invalid for any reason by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The city council hereby declares that it would have enacted this ordinance regardless of the invalid or proscribed section, subsection, sentence, clause or phrase.

**INTRODUCED AND FIRST READ** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 21st day of April 2010;

**THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, on the 4th day of May 2010, by the following vote:

AYES:

NAYS:

ABSENT:

\_\_\_\_\_  
Jim Janney, Mayor

ATTEST:

\_\_\_\_\_  
Jacqueline Hald, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Jennifer M. Lyon, City Attorney

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Ordinance No. 2010-\_\_\_\_, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA AMENDING SECTION 3.24.150 (AUDIT AND AUDIT EXPENSES) OF THE IMPERIAL BEACH MUNICIPAL CODE RELATED TO COLLECTION OF TRANSIENT OCCUPANCY TAXES"

\_\_\_\_\_  
JACQUELINE HALD, CITY CLERK

\_\_\_\_\_  
DATE





**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** May 4, 2010

**ORIGINATING DEPT.:** PUBLIC WORKS *HGB*

**SUBJECT:** PUBLIC HEARING RELATING TO THE LEVY OF ANNUAL ASSESSMENTS FOR ASSESSMENT DISTRICT NO. 67M

---

**BACKGROUND:**

At the regular scheduled meeting on April 7, 2010, City Council approved and adopted Resolution 2010-6875, declaring its intention to provide for an annual levy and collection of assessments in a Special Assessment District, and set a time and place for a public hearing thereon.

A public hearing was noticed April 7, 2010, in the Imperial Beach Eagle & Times for May 4, 2010, at the hour of 6:00 p.m. in the Council Chambers, City Hall, Imperial Beach, California to hear protests or objections in reference to the annual levy of assessments and to any other matters contained in the resolution of intention.

**DISCUSSION:**

The City Council of the City of Imperial Beach has previously formed a special assessment district pursuant to the "Landscape and Lighting Act of 1972", known as Assessment District No. 67-M, for the purpose of installing and maintaining upgraded street lighting on Highway 75 within the City of Imperial Beach.

Lighting improvements have been previously funded and no further improvements are planned. The annual levy of assessments being considered by City Council is for the cost of maintenance and operation of the previously funded lighting improvements; generally to consist of energy costs, lamp maintenance, and replacements of light standards as required plus Sempra Utilities ownership costs. The assessment recommended is unchanged from previous year's assessments.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

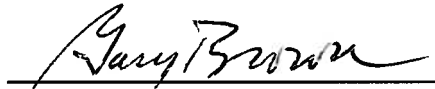
The total AD 67-M budget is \$30,000 per the Engineer's Report. The City General Fund will contribute \$17,959 towards the annual maintenance costs. The balance of \$12,041 will be provided through the annual assessment.

**DEPARTMENT RECOMMENDATION:**

1. Open the Public Hearing.
2. Receive public comment / protests.
3. If Council wishes to proceed, close the public hearing.
4. Approve and adopt the attached resolution.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

A handwritten signature in cursive script, appearing to read "Gary Brown", is written over a horizontal line.

Gary Brown, City Manager

**Attachments:**

1. Resolution No. 2010-6886
2. Engineer's Report

**RESOLUTION NO. 2010-6886**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT IN A SPECIAL MAINTENANCE DISTRICT (AD 67M)**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS**, the City Council of the City of Imperial Beach, California, has initiated proceedings for the levy of the annual assessment in a special maintenance district created pursuant to the terms of the "Landscape and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highway Code of the State of California (the "Act"), in a special maintenance district known and designated as ASSESSMENT DISTRICT NO. 67M (hereinafter referred to as the "District"); and

**WHEREAS**, at this time all notice and public hearing requirements have been met relating to the levy of the annual assessments and this City Council is now satisfied with the assessment and diagram and all other matters as contained in the Engineer's "Report" as now submitted for final consideration and approval.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Imperial Beach as follows:

**RECITALS**

SECTION 1. That the above recitals are all true and correct.

**PROTESTS**

SECTION 2. That all protests and objections of every kind and nature have been considered, and the same hereby are, overruled and denied.

**CONFIRMATION**

SECTION 3. That the final assessment and diagram for the proceedings, as contained in the Engineer's "Report", is hereby approved and confirmed.

SECTION 4. That the public interest and convenience requires, and this legislative body does hereby order the maintenance work to be made and performed as said maintenance work is set forth in the Engineer's "Report" and as previously declared and set for the in the Resolution of Intention.

SECTION 5. That the assessments contained in said "Report" for the next fiscal year are hereby confirmed and levied upon the respective lots or parcels of land in the District in the amounts as set forth in the said final "Report." It is hereby further determined that all assessments have been apportioned properly in accordance with the benefits that each parcel received from the proposed maintenance works of improvement.

**FILING AND RECORDING**

SECTION 6. That the above referenced diagram and assessment shall be filed in the Office of the City Clerk, with a certified copy to be filed in the Office of the City Engineer. Said diagram and assessment, and the certified copy thereof, shall be open for public inspection.

SECTION 7. That the City Clerk is hereby ordered and directed to immediately file a certified copy of the diagram assessment with the County Auditor. Said filing to be made no later than the 3<sup>rd</sup> Monday in August.

ENTRY UPON THE ASSESSMENT ROLL

SECTION 8. That after the filing of the diagram and assessment, the County auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the assessment.

SECTION 9. The assessments shall be collected at the same time and in the same manner as County taxes are collected, and all laws providing for the collection and enforcement of County taxes shall apply the collection and enforcement of the assessments.

FISCAL YEAR

SECTION 10. That the assessments as above authorized and levied for these proceedings will provide revenue and relate to the fiscal year commencing July 1, 2010 and ending June 30, 2011.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 4<sup>th</sup> day of May 2010, by the following roll call vote:

**AYES: COUNCILMEMBERS:**  
**NOES: COUNCILMEMBERS:**  
**ABSENT: COUNCILMEMBERS:**

\_\_\_\_\_  
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be an exact copy of Resolution No. 2010-6886 – A Resolution of the City Council of the City of Imperial Beach, California, Confirming the Diagram and Assessment and Providing for the Levy of the Annual Assessment in a Special Maintenance District (AD 67M).

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE

**AGENCY: CITY OF IMPERIAL BEACH**

**PROJECT: ASSESSMENT DISTRICT NO 67-M  
(STREET LIGHTING)**

**TO: CITY COUNCIL**

**REPORT  
"LANDSCAPING & LIGHTING ACT OF 1972"**

The CITY COUNCIL of the CITY OF IMPERIAL BEACH, CALIFORNIA, has adopted a Resolution ordering the preparation and filing of an Engineer's "Report" pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 12, Part 2 of the Streets and Highways Code of the State of California, commencing with Section 22500 (the "Act"), for purposes of authorizing the levy of special assessments for certain work in a special assessment district known and designated as ASSESSMENT DISTRICT NO. 67-M (STREET LIGHTING) (hereinafter referred to as the "District").

This "Report", as ordered by the legislative body, is prepared and submitted in four parts, consisting of the following:

- PART I. PLANS AND SPECIFICATIONS:** The plans and specifications describe the general nature, location and extent of the improvements to be maintained during the next fiscal year, and said plans and specifications, as applicable, indicate the classes and types of improvement for each zone within the District.
- PART II. COST ESTIMATE:** The cost estimate includes all costs relating to maintenance of the improvements for the next fiscal year, including appropriate incidental expenses, as well as providing for surpluses or credits and contributions from any source, as applicable.
- PART III. ASSESSMENT DIAGRAM:** The Assessment Diagram indicates the exterior boundaries of the District, the boundaries of any zones within the District, as well as setting forth each individual lot or parcel. Each parcel is identified by a distinctive number or letter and the lines and dimensions of each lot shall conform to those as shown on the latest County Assessor's map.
- PART IV. ASSESSMENT SCHEDULE:** The assessment schedule sets forth the net amount to be assessed upon all parcels and lands within the District, describing each assessable lot or parcel by reference to a specific number, and assessing the net amount upon the lots in proportion to the benefits to be received by each lot or parcel as shown on the above-referenced Diagram. All lots and parcels of land known as public property, as defined under Section 22663 of said "Landscaping and Lighting Act of 1972", have been

March 23, 2010

omitted and are exempt from any assessment under these proceedings.

This "Report" is applicable for the maintenance of improvements within the District for the fiscal year commencing July 1, 2010 and ending June 30, 2011.

DATED: March 23, 2010

BDS Engineering, Inc.

A handwritten signature in blue ink, appearing to read "Thomas A. Jones", is written over a horizontal line.

ASSESSMENT ENGINEER  
CITY OF IMPERIAL BEACH  
STATE OF CALIFORNIA

March 23, 2010

## **PART I**

### **PLANS AND SPECIFICATIONS**

The plans and specifications for the works of improvements are on file in the Office of the City Clerk, available for public inspection. The plans and specifications show the general nature, location and extent of the improvements as installed and to be maintained.

### **IMPROVEMENTS**

There are no improvements to be installed under these proceedings.

### **MAINTENANCE**

A general description of the works of improvements to be financed and maintained under these proceedings are those generally described as follows:

San Diego Gas & Electric will be responsible for the lighting and maintenance of the new standards and lamps. The operating and maintenance will consist of energy costs, lamp maintenance, replacement of light standards as required and San Diego Gas & Electric ownership costs.

**PART II****ESTIMATE OF COSTS**

The total costs for installation and maintenance of the improvements are those as hereinafter set forth. Said cost estimate will also set forth the amount of any surplus or deficit in the Improvement Fund to be carried over, as well as the amount of any contributions to be made from any other sources.

<b>I.     <u>IMPROVEMENTS</u></b>	<b><u>AS PRELIMI- NARILY APPROVED</u></b>	<b><u>AS CONFIRMED</u></b>
Estimated Cost of Improvements:	\$ <u>0.00</u>	\$ <u>0.00</u>
Estimated Incidental Costs and Expenses:	\$ <u>0.00</u>	\$ <u>0.00</u>
Estimated Total Cost:	\$ <u>0.00</u>	\$ <u>0.00</u>
Estimated Contributions:	\$ <u>0.00</u>	\$ <u>0.00</u>
Balance to Assessment:	\$ <u>0.00</u>	\$ <u>0.00</u>
 <b>II.    <u>MAINTENANCE</u></b>	 <b><u>AS PRELIMI- NARILY APPROVED</u></b>	 <b><u>AS CONFIRMED</u></b>
Estimated Cost of Maintenance:	\$ <u>30,000.00</u>	\$ <u>30,000.00</u>
Estimated Incidental Costs and Expenses:	\$ <u>0.00</u>	\$ <u>0.00</u>
Estimated Annual Maintenance Cost:	\$ <u>30,000.00</u>	\$ <u>30,000.00</u>
Contribution from Surplus:	\$ <u>17,959.00</u>	\$ <u>17,959.00</u>
Balance to Assessment:	\$ <u>12,041.00</u>	\$ <u>12,041.00</u>
 <b>III. <u>ANNUAL NET ASSESSMENT</u></b>	 \$ <u>12,041.00</u>	 \$ <u>12,041.00</u>

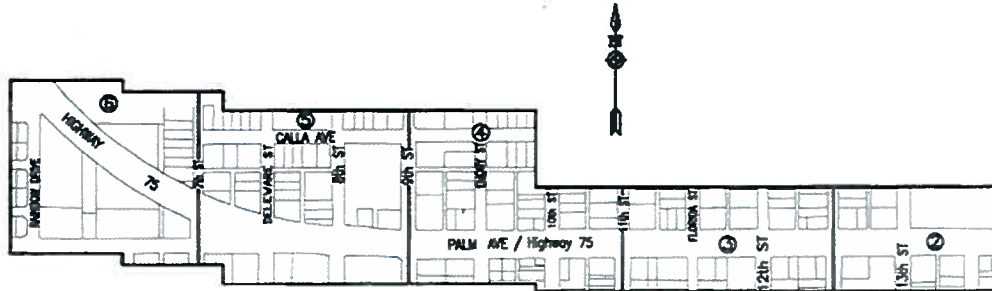


**PART III**

**ASSESSMENT DIAGRAM**

The assessment diagram sets forth (a) the exterior boundaries of the District, (b) the boundaries of any zones within the District, and (c) the lines of each lot or parcel of land within the District. The assessment diagram further identifies each lot or parcel by a distinctive number or letter, and for a detailed description of the lines and dimensions of any lot or parcel, reference is made to the County Assessor's map applicable for the next fiscal year, which map shall govern for all details concerning the lines and dimensions of such lots or parcels. A copy of the assessment diagram is attached hereto, shown in a reduced scale format as Exhibit "A".

# ASSESSMENT DIAGRAM FOR ASSESSMENT DISTRICT NO. 67M (STREET LIGHTING)



I HEREBY CERTIFY THAT THE AREA WITHIN MAP SHOWING PROPOSED BOUNDARY OF ASSESSMENT DISTRICT PLAT NO. 67M, CITY OF IMPERIAL BEACH, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, AT A REGULAR MEETING THEREOF, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY ITS RESOLUTION NO. \_\_\_\_\_.

FILED IN THE OFFICE OF THE CITY CLERK THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
CITY CLERK OF IMPERIAL BEACH

RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
SUPERINTENDENT OF STREETS  
CITY OF IMPERIAL BEACH

AN ASSESSMENT WAS LEVIED BY THE CITY COUNCIL ON THE LOTS, PIECES, AND PARCELS OF LAND SHOWN ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL WERE RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS OF SAID CITY ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_. REFERENCE IS MADE TO THE ASSESSMENT ROLL RECORDED IN THE OFFICE OF THE SUPERINTENDENT OF STREETS FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND SHOWN ON THIS ASSESSMENT DIAGRAM.

\_\_\_\_\_  
CITY CLERK, CITY OF IMPERIAL BEACH

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT THE HOUR OF \_\_\_\_\_ O'CLOCK  
IN BOOK OF MAPS OF ASSESSMENT DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER OF  
THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

\_\_\_\_\_  
COUNTY RECORDER OF COUNTY OF SAN DIEGO

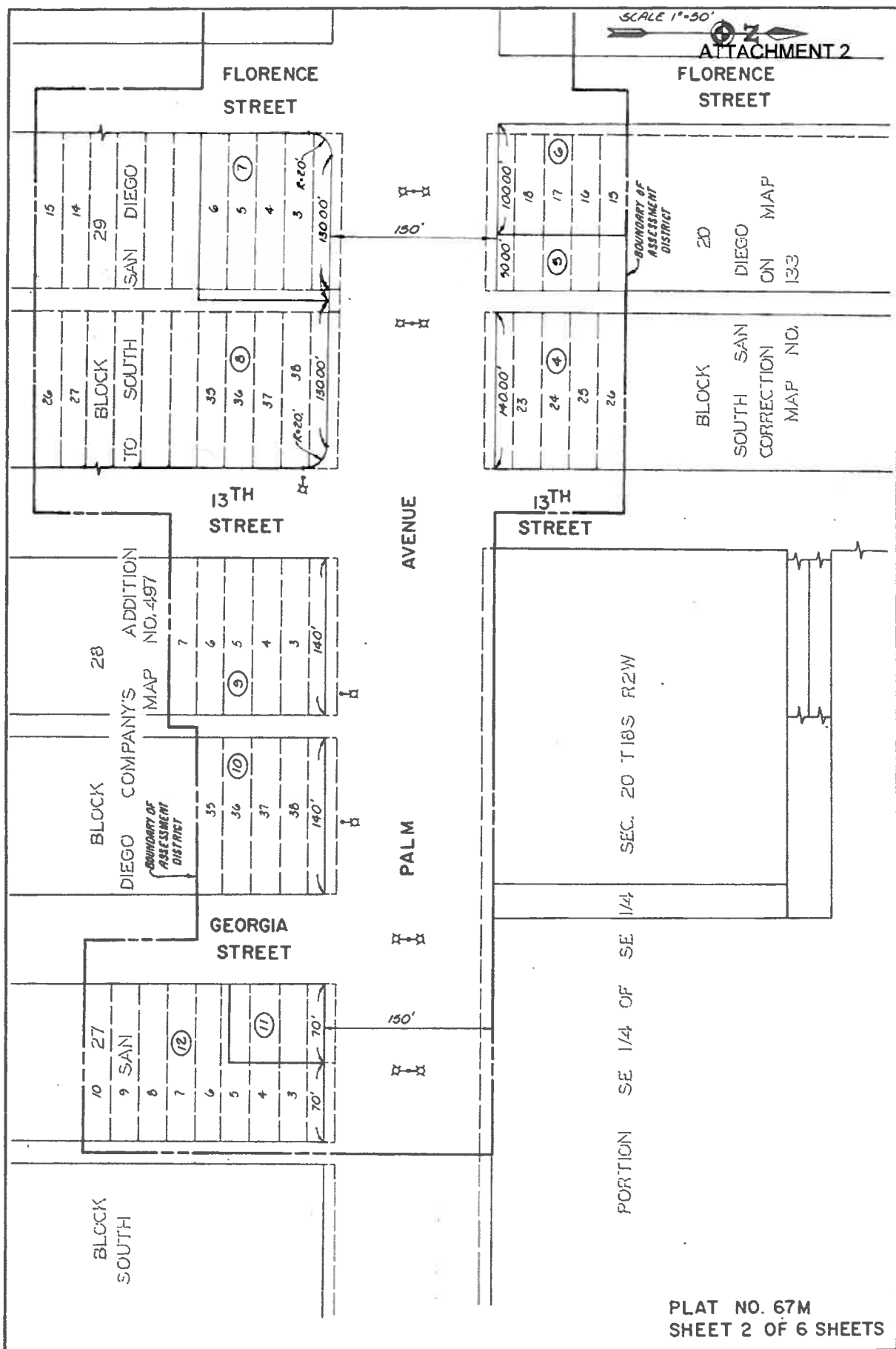
ENGINEER OF WORK:  
B D S ENGINEERING  
CIVIL ENGINEERING  
LAND SURVEYING

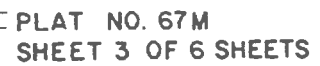
6859 Federal Boulevard  
Lemon Grove, California 91945  
(619) 582-4392

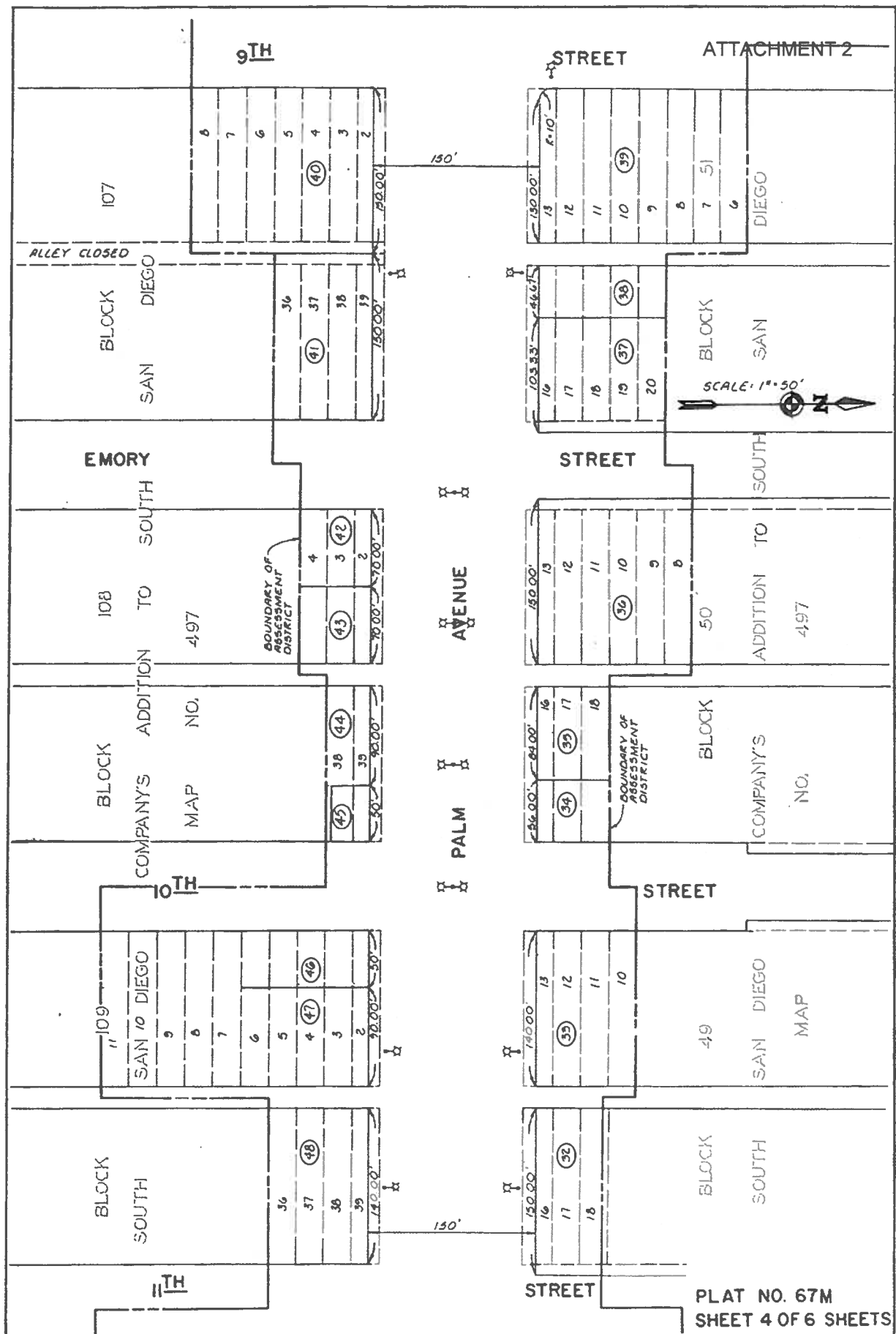
FILED PROJECTS\8213\KID MAP.DWG

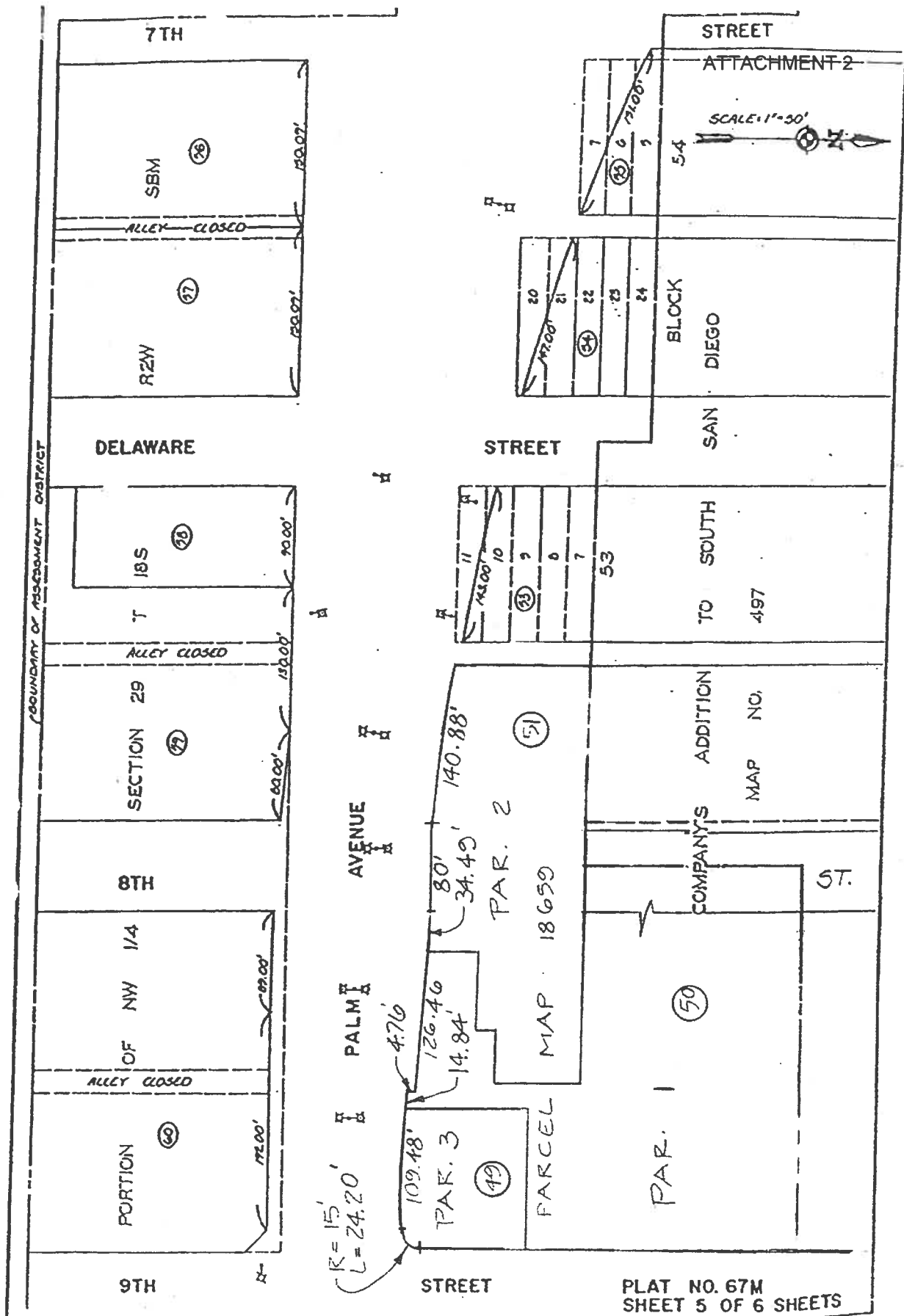
THOMAS A. JONES R.C.E. 34857 DATE 3/23/10 92-13 JOB NO.

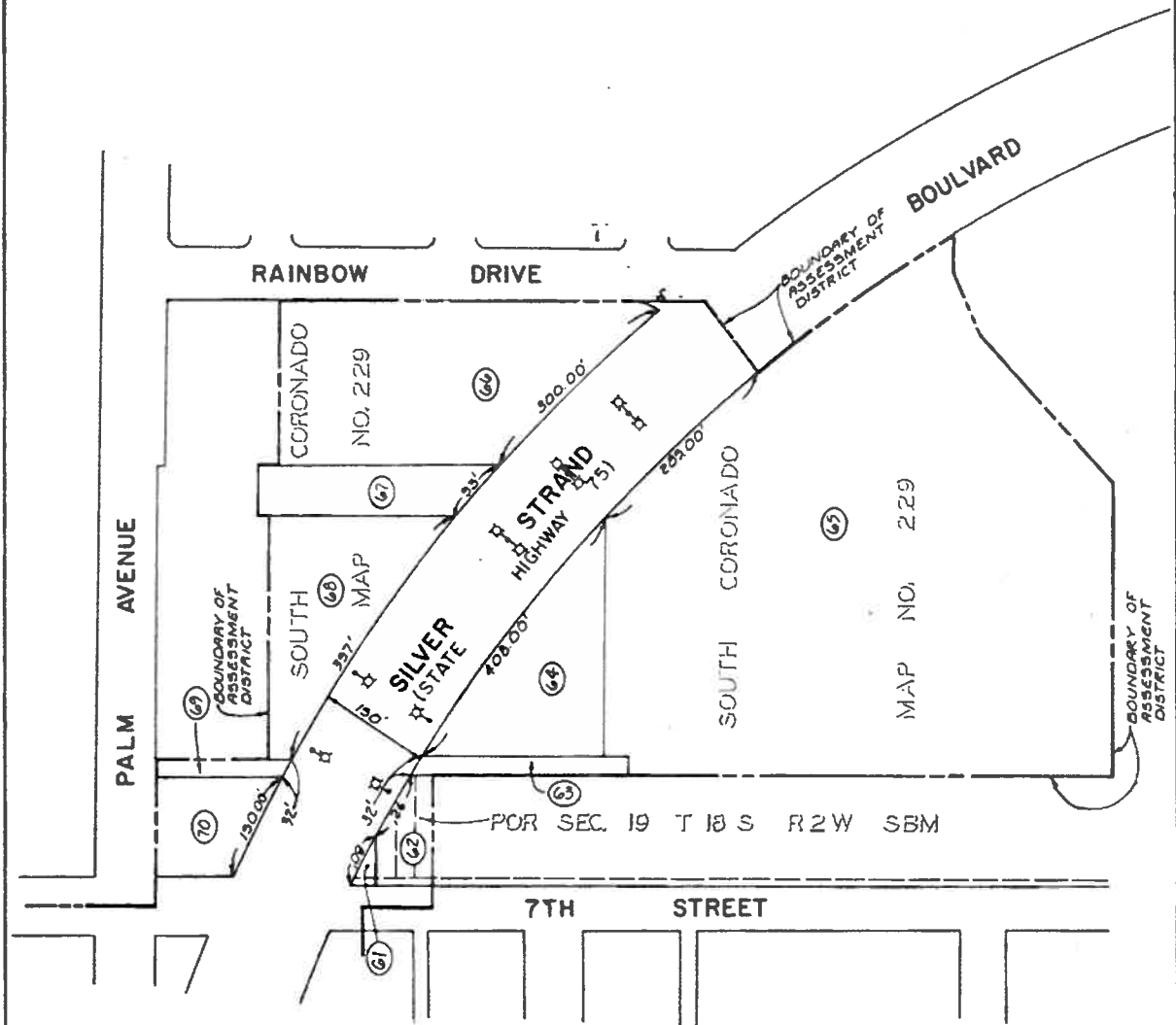
PLAT NO. 67M  
SHEET 1 OF 6 SHEETS











**PART IV****ASSESSMENT SCHEDULE**

The undersigned, authorized representative of the appointed ASSESSMENT ENGINEER, by virtue of the power vested pursuant to the Act, and by order of the legislative body, hereby make the following assessment to cover the estimated costs and expenses for the installation and maintenance of the works of improvements within the District for the next fiscal year. Said costs and expenses are generally as follows:

COST OF IMPROVEMENT	\$ <u>0</u>
COST OF MAINTENANCE	\$ <u>30,000.00</u>
INCIDENTAL EXPENSES	\$ <u>0</u>
TOTAL COSTS	\$ <u>30,000.00</u>
SURPLUS/DEFICIT	\$ <u>0</u>
CONTRIBUTION FROM SURPLUS	\$ <u>17,959.00</u>
ANNUAL ASSESSMENT	\$ <u>12,041.00</u>

I do hereby assess and apportion the net amount of the costs and expenses upon the several parcels of land within the District liable therefore and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said works of improvement and appurtenances, and said parcels are hereinafter numbered and set forth to correspond with the numbers as they appear on the attached assessment Diagram and the County Assessment Roll.

The Assessment Schedule refers to the County Assessment Roll for a description of the lots or parcels, and said Roll shall govern for all details concerning the description of the lots or parcels.

The net amount to be assessed upon the lands has been spread and apportioned by any formula in accordance with the benefits received from each parcel, and in my opinion, said costs and expenses have been apportioned in direct relationship to the benefits received from the works of improvements.

For a more specific statement as to the method and formula for the spread of the assessments, reference is made to the following list of annual assessments:

\* \* \*



This assessment has been prepared pursuant to the "Landscaping and Lighting Act of 1972".

The net amount to be assessed upon the lands and parcels within the boundaries of the District has been spread and apportioned in accordance with the benefits received from the improvements, and in my opinion the costs and expenses have been assessed in direct relationship to the benefits received from the maintenance of the works of improvement.

DATED: MARCH 23, 2010

BDS Engineering, Inc.

Thomas A. Jones

ASSESSMENT ENGINEER  
CITY OF IMPERIAL BEACH  
STATE OF CALIFORNIA

A copy of said Assessment Roll and Engineer's "Report" was filed in the Office of the City Clerk and the Superintendent of Streets on the \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
CITY CLERK  
CITY OF IMPERIAL BEACH  
STATE OF CALIFORNIA

\_\_\_\_\_  
SUPERINTENDENT OF STREETS  
CITY OF IMPERIAL BEACH  
STATE OF CALIFORNIA

Final approval, confirmation and levy of the annual assessment and all matters in the Engineer's "Report" was made on the \_\_\_\_ day of \_\_\_\_\_, 2010 by adoption of Resolution No. \_\_\_\_\_ by the City Council.

\_\_\_\_\_  
CITY CLERK  
CITY OF IMPERIAL BEACH  
STATE OF CALIFORNIA

ASSESSMENT ENGINEER CERTIFICATE

AGENCY: CITY OF IMPERIAL BEACH

PROJECT: ASSESSMENT DISTRICT NO 67-M

The City of Imperial Beach has previously authorized the formation of a special maintenance assessment district pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special assessment district known and designated as ASSESSMENT DISTRICT NO. 67-M.

Each year the assessments must be submitted for legislative confirmation, and at this time the Report is now ready for presentation and setting of a public hearing.

Based upon the review of the undersigned Assessment Engineer, there are no new or increased assessments to be levied on any of the properties within the boundaries of the special maintenance Assessment District for the next ensuing fiscal year.

THE UNDERSIGNED HEREBY CERTIFIES, UNDER PENALTY OF PERJURY, AS FOLLOWS:

1. That I am the Assessment Engineer for the above-referenced special Assessment District and am responsible for the preparation of the annual Engineer's Report, including the assessments to be levied for the next ensuing fiscal year.
2. That upon review of the assessments, it is specifically stated that there will be no new or increased special assessments to be levied for the next fiscal year.

Based upon the above, no additional public hearing, other than that setting forth the annual levy of assessments, shall be required, and the provisions of the Brown Act, being Government Code 54954.6, will not be applicable for these proceedings for the next fiscal year.

Dated: March 23, 2010

BDS Engineering, Inc.



ASSESSMENT ENGINEER  
CITY OF IMPERIAL BEACH  
STATE OF CALIFORNIA

## ATTACHMENT 2

THE ASSESSMENTS ARE THOSE AS CONFIRMED IN COLUMN I, UNLESS A DIFFERENT FIGURE APPEARS IN COLUMN II, AS MODIFIED.

ASSESSMENT NUMBER	ASSESSORS TAX PARCEL	I. AMOUNT OF ASSESSMENT	II. ASSESSMENT AS MODIFIED
4	626-242-10	\$199.31	
5	626-242-09	\$86.66	
6	626-242-24	\$142.12	
7	626-312-01	\$212.31	
8	626-312-13	\$252.17	
9	627-011-18	\$242.64	
10	627-011-19	\$199.31	
11	627-012-09	\$86.66	
12	627-012-10	\$121.32	
13	626-241-28	\$88.39	
14	626-241-19	\$86.66	
15	626-241-27	\$213.18	
16	626-230-20	\$213.18	
17	626-230-05	\$199.31	
18	626-170-05	\$86.66	
19	626-170-06	\$86.66	
20	626-170-07	\$86.66	
21	626-162-17	\$250.44	
22	626-301-33	\$173.31	
23	626-301-23	\$86.66	
24	626-301-18	\$277.30	
25	626-302-20	\$106.59	
26	626-302-02	\$121.32	
27	626-302-16	\$259.97	
28	626-311-01	\$128.25	
29	626-311-02	\$86.66	
30	626-311-14	\$112.65	
31	626-311-15	\$86.66	
32	626-222-25	\$111.79	
33	626-222-11	\$155.98	
34	626-221-11	\$86.66	
35	626-221-12	\$86.66	
36	626-221-20	\$259.97	
37	626-212-35	\$147.32	
38	626-212-32	\$86.66	
39	626-212-36	\$239.17	
40	626-281-01	\$259.97	
41	626-281-17	\$167.25	
42	626-282-01	\$86.66	
43	626-282-03	\$86.66	
44	626-282-21	\$86.66	
45	626-282-22	\$86.66	
46	626-291-01	\$86.66	
47	626-291-15	\$155.98	

## ATTACHMENT 2

ASSESSMENT NUMBER	ASSESSORS TAX PARCEL	I. AMOUNT OF ASSESSMENT	II. ASSESSMENT AS MODIFIED
48	626-291-14	\$155.98	
49	626-211-08	\$162.92	
50	626-211-07	\$166.38	
51	626-211-06	\$243.51	
52	NOT USED		
53	626-202-19	\$183.71	
54	626-201-06	\$177.65	
55	626-201-11	\$86.66	
56	626-250-02	\$259.97	
57	626-250-03	\$259.97	
58	626-250-04	\$155.98	
59	626-250-05	\$363.96	
60	626-250-06	\$510.41	
61	626-070-59	\$86.66	
62	626-070-58	\$107.45	
63	626-070-33	\$86.66	
64	625-140-08	\$510.41	
65	625-140-20	\$493.95	
66	625-140-21	\$448.19	
66A	625-140-22	\$71.75	
67	625-140-05	\$161.18	
68	625-140-17	\$547.67	
69	626-250-11	\$86.66	
70	626-250-12	\$229.64	

## ATTACHMENT 2

ASSESSMENT NO:	ASSESSOR'S TAX PARCEL	OWNER'S NAME & ADDRESS	ASSESSMENT NO. ADDRESS
4	626-242-10	Pacific Bell	None State Assessed
5	626-242-09	Imperial Beach Post No. 820 American Legion Dept. of California 1268 Palm Ave. Imperial Beach, CA 91932	1268-1274 Palm Ave.
6	626-242-24	American Legion Imperial Beach Post No. 820 1268 Palm Ave. Imperial Beach, CA 91932	1252-1266 Palm Ave.
7	626-312-01	Franklin Family Survivors 1988/ Trust et al 90 El Rancho Vista Chula Vista, CA 91910	1253 Palm Ave.
8	626-312-13	TERRILEE Enterprises, Inc. 5360 Eastgate Mall #G San Diego, CA 92121	700 13 <sup>th</sup> Street
9	627-011-18	Dugan Co. LP 1058 Palm Ave. Imperial Beach, CA 91932-1739	1311-1313 Palm Ave.
10	627-011-19	Casa Vista Estates 1285 Distribution Way Vista, CA 92081	1333 Palm Ave.
11	627-012-09	Locicero, Michael O & Louis J Young Montie R01-26-1995 Verg 4330 Grace Road Bonita, CA 91902	1337 Palm Ave.
12	627-012-10	Locicero, Michael O & Louis J Young Montie R01-26-1995 Verg 4330 Grace Road Bonita, CA 91902	1351 Palm Ave.
13	626-241-28	Marquez, John S. & Carole G. Trust P.O. Box 122159 Chula Vista, CA 91912	1240 Palm Ave.
14	626-241-19	Nelson, Greg & Michelle 1220 5 <sup>th</sup> Street Imperial Beach, CA 91932	1228 Palm Ave.
15	626-241-27	Zora, Fauzi O & Salam A. 151 Broadway Chula Vista, CA 91910	1200-1220 Palm Ave.
16	626-230-20	Imperial Beach Palm LLC 3018 Kellogg St. San Diego, CA 92106	1180 Palm Ave.

## ATTACHMENT 2

17	626-230-05	DOLEEN, Inc. 1143 Loma Portal Drive El Cajon, CA 92020	1158 Palm Ave.
18	626-170-05	Mikkelson, Frankie L 474 Naples St. Chula Vista, CA 91911	1144-1158 Palm Ave.
19	626-170-06	Hutchins Family Trust 07-23-2002 1138 Palm Ave. Imperial Beach, CA 91932-1619	1138 Palm Ave.
20	626-170-07	Moinat, Jean P & Wouter 18 Bahama Bend Coronado, CA 92118	1130 Palm Ave.
21	626-162-17	Great Western Bank C/O Industry Consulting & Group Inc. P.O. Box 810490 Dallas, TX 75381	1100 Palm Ave.
22	626-301-33	Goldman, Dean S. 6363 Dwane Ave. San Diego, CA 92120	1101 Palm Ave.
23	626-301-23	Mikkelson, Frankie L/Smith, Kathryn 474 Naples St. Chula Vista, CA 91911	1115 Palm Ave.
24	626-301-18	McDonalds Corp. P.O. Box 182571 Columbus, Ohio 93218	1135 Palm Ave.
25	626-302-20	Martin, Michael 04-12-2006/Gale Family 1489 Connecticut St. Imperial Beach, CA 91932	1155 Palm Ave.
26	626-302-02	Wedelstedt, Edward J. 12740 E. Control Tower Rd. # J8 Englewood, CO 80112	1177-1179 Palm Ave.
27	626-302-16	Thrifty Oil Co. 13116 Imperial Hwy Santa Fe Springs, CA 90670	1185 Palm Ave.
28	626-311-01	Pacheco, Alejandra & Esther 760 8 <sup>th</sup> St. Imperial Beach, CA 91932	1205 Palm Ave.
29	626-311-02	Pacheco, Alejandra & Esther 760 8 <sup>th</sup> St. Imperial Beach, CA 91932	1215 Palm Ave.
30	626-311-14	Chavez Richard A.;Chaefer-Chavez Ina L. P.O. Box 390128 San Diego, CA 92149	1221-1235 Palm Ave.

## ATTACHMENT 2

31	626-311-15	Yee Goey Siem 6/22/00 4936 Lillian St. San Diego, CA 92110	1237-1239 Palm Ave.
32	626-222-25	Atchley 1992 C/O Leadingham Realty P.O. Box 1027 Imperial Beach, CA 91933	1058-1064 Palm Ave.
33	626-222-11	Shah Bankim M. & Nita 18038 Chieftan Ct. San Diego, CA 92127	1002-1012 Palm Ave.
34	626-221-11	Trieschman Family B. 08-12-993 C/O Gary Trieschman 672 10 <sup>th</sup> St. Imperial Beach, CA 91932	670-672 10 <sup>th</sup> Street
35	626-221-12	Guerra Alberto C. & Hortensia 986 Palm Ave. Imperial Beach, CA 91932	986 Palm Ave.
36	626-221-20	Darnell James P. Family 12-01-1985/Barton Mary J. Family 06-12-1990 P.O. Box 180315 Coronado, CA 92178	950 Palm Ave.
37	626-212-35	Robinson Jay 2727 Sunset Hills Escondido, CA 92025	940-942 Palm Ave.
38	626-212-32	McGrew Addis A 2005/Family Vaughn 01-11-1993 1211 Helix Ave. Chula Vista, CA 91911	932-938 Palm Ave.
39	626-212-36	Union Bank C/O Union Bank P.O. Box 7788 Newport Beach, CA 92568	900 Palm Ave.
40	626-281-01	LF Malone George P. TR. & George A. Pearson C/O G. & M. Oil Co. 16868 A Street Huntington Beach, CA 92647	907 Palm Ave.
41	626-281-17	Imperial Beach Community Clinic P.O. Box 459 Imperial Beach, CA 91932	949 Palm Ave.
42	626-282-01	OConnor Joseph & Gallo, Michael 951 Palm Ave. Imperial Beach, CA 91932	715 Emory St.
43	626-282-03	Mason, John G. & Phyllis M 975 Palm Ave. Imperial Beach, CA 91932-1533	975 Palm Ave.

## ATTACHMENT 2

44	626-282-21	Duran, Rosa C. 02-24-2006 371 Plaza Los Osos Chula Vista, CA 91914	987-989 Palm Ave.
45	626-282-22	White James R./Cervantes Crystal 1720 Avenida Del Mundo #609. Coronado, CA 92118	995 Palm Ave.
46	626-291-01	Teyssier L. 10-14-1992 & Family M/Forrest Family 01-20-1984 C/O Atomic Investments 3200 Highland Ave. #B4-2 National City, CA 91950	1003 Palm Ave.
47	626-291-15	Atomic Investments, Inc. 3200 Highland Ave. B4-2 National City, CA 91950	1025 Palm Ave.
48	626-291-14	Goyco Chea Alfred E. & Paulette T. 1085 Palm Ave. Imperial Beach, CA 91932	1085 Palm Ave.
49	626-211-08	Imperial Beach Promenade LLC C/O Property Tax Dept. 401 P.O. Box 4900 Scottsdale, AZ 85261	890 Palm Ave.
50	626-211-07	Imperial Beach Promenade LLC 3262 Holiday Ct. #104 La Jolla, CA 92037	836-894 Palm Ave.
51	626-211-06	Albertsons LLC LF Imperial Beach Promenade LLC C/O CVS Pharmacy Inc. #9120-01 1 CVS Drive Woonsocket, RI 02895	800 Palm Ave.
52	NOT USED		
53	626-202-19	Castro Ramon & Marian 04-29-1996 4291 Arista St. San Diego, CA 92103	740 Palm Ave.
54	626-201-06	Morgan George Jr. P.O. Box 1285 Spring Valley, CA 91979	720-730 Highway 75
55	626-201-11	Farida Family 06-09-2006 13254 Devon Dr. Jamul, CA 91935	700-710 Highway 75
56	626-250-02	Sawhney, Parmela S. 10-09-2002 301 Ocean Blvd. Coronado, CA 92118	701-707 Palm Ave.
57	626-250-03	City of Imperial Beach Redevelopment Agency (Public Agency)	735 Palm Ave.



## ATTACHMENT 2

58	626-250-04	City of Imperial Beach Redevelopment Agency (Public Agency)	759 Palm Ave.
59	626-250-05	City of Imperial Beach Redevelopment Agency (Public Agency)	761-775 Palm Ave.
60	626-250-06	City of Imperial Beach Redevelopment Agency (Public Agency)	827 Palm Ave.
61	626-070-59	Arnold, Clifton J. And Edwin R. 2624 East 14 <sup>th</sup> St. National City, CA 91950	698 Highway 75
62	626-070-58	Lassman 03-02-1990 74-211 Via Pellestrina Palm Desert, CA 92260	690 Highway 75
63	626-070-33	D & A Semi Annual Mortgage Fund III LP C/O Dunham Nortgage Funds 10251 Vista Sorrento Parkway #200 San Diego, CA 92121	Vacant Land
64	625-140-08	D&A Semi-Annual Mtg Fund III C/O Dunham and Associates 10251 Vista Sorrento Parkway #200 San Diego, CA 92121	550 Highway 75
65	625-140-20	Smith Bernard Joseph 06-03-2004 C/O Bernardo Shores RV Park 500 Highway 75 Imperial Beach, CA 91932	500 Highway 75
66	625-140-21	Sliver Strand Plaza LLC C/O Mary Sherman P.O. Box 571990 Tarzana, CA 91357	Palm Ave. Vacant Commercial
66A	625-140-22	Pacific Bell Wireless LF Silver Strand Plaza LLC	Palm Ave. State Assessed
67	625-140-05	Palm Avenue Properties/Pennell Family Properties 244 Palomar Street #A Chula Vista, CA 91911	650 Palm Ave.
68	625-140-17	Imperial Trailer Park LP 244 Palomar Street #A Chula Vista, CA 91911	674 Palm Ave.
69	626-250-11	Kupilik O. William/Family Nell 3747 Charles St. San Diego, CA 92106	Vacant Commercial

## ATTACHMENT 2

70	626-250-12	Zoura Family Trust 10-08-09 3189 Main St. Chula Vista, CA 91911	681 Highway 75
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**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**FROM:** GARY BROWN, CITY MANAGER  
**MEETING DATE:** MAY 4, 2010  
**ORIGINATING DEPT.:** PUBLIC WORKS *HGB*  
**SUBJECT:** PUBLIC HEARING SETTING THE ANNUAL SEWER CAPACITY FEE

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**BACKGROUND:**

On April 22, 2010, City of Imperial Beach staff advertised in the Imperial Beach and South County Eagle & Times newspaper the time and place for the public hearing to establish the annual sewer Capacity Fee for the City of Imperial Beach. The time and place was set as:

Tuesday, May 4, 2010, at 6:00 p.m.  
825 Imperial Beach Blvd.  
Imperial Beach, CA 91932

The public hearing was published in the Imperial Beach Eagle and Times Newspaper, Thursday, April 22, 2010.

**DISCUSSION:**

As of the submission date of this staff report, staff had not received any protests to the continuation of the Capacity Fee. The Capacity Fee proposed for the Fiscal Year 2010-2011 is unchanged from the past year - \$1,230.00 per Equivalent Dwelling Unit (EDU). The Capacity Fee was last adjusted July 20 2005, Resolution No. 2005-6192, based on a Sewer Utility Cost-of-Service Rate Study prepared by Foresight Consulting Services, June 3, 2005. The conditions provided in that study have not changed, thus there is no basis to propose an adjustment to the existing Capacity Fee rate.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

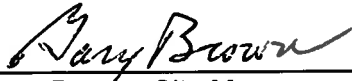
None

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Open the public hearing.
3. Receive public comment/protests.
4. Close the public hearing.
5. Adopt the attached resolution.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

A handwritten signature in cursive script, reading "Gary Brown", written in black ink.

Gary Brown, City Manager

**Attachments:**

1. Resolution 2010-6885

**RESOLUTION NO. 2010-6885**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AUTHORIZING THE RETENTION OF THE CURRENT ANNUAL SEWER CAPACITY FEE RATE**

The City Council of the City of Imperial Beach does hereby resolve as follows:

**WHEREAS**, I.B.M.C 13.05.050 states, "The city council shall annually review the amount of the [capacity] fee to determine whether the fee amounts are reasonable and related to the cost for the public facility attributes to the development on which the fee is imposed; and

**WHEREAS**, I.B.M.C. 13.05.050 states, "The city council shall hold a noticed public hearing annually to review and update the plan; and

**WHEREAS**, in Resolution 2005-6153 City Council approved setting the sewerage capacity fee at \$1,230.00 for each Equivalent Dwelling Unit (EDU); and

**WHEREAS**, the Sewer Capacity fee calculated in Foresight Consulting Services, June 3, 2005 remains valid; and

**WHEREAS**, a pubic hearing notice was published April 22, 2010, in the Imperial Beach Eagle and Times Newspaper for the May 4, 2010, City Council meeting announcing the review of the sewer capacity fee.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Imperial Beach as follows:

1. The above recitals are true and correct.
2. City Council, City of Imperial Beach, retains the current sewer capacity fee at \$1,230.00 per Equivalent Dwelling Unit.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 4<sup>th</sup> of May 2010, by the following roll call vote:

**AYES: COUNCILMEMBERS:**  
**NOES: COUNCILMEMBERS:**  
**ABSENT: COUNCILMEMBERS:**

\_\_\_\_\_  
**JAMES C. JANNEY, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**JACQUELINE M. HALD**  
**CITY CLERK**

I, City Clerk of the City of Imperial Beach, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2010-6885 – A Resolution Authorizing The Retention Of The Current Annual Sewer Capacity Fee Rate

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE



**STAFF REPORT  
CITY OF IMPERIAL BEACH**

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** GARY BROWN, CITY MANAGER

**MEETING DATE:** MAY 4, 2010

**ORIGINATING DEPT.:** PUBLIC WORKS *AB*

**SUBJECT:** PUBLIC HEARING; ADOPTION OF TRANSNET EXTENSION  
LOCAL STREET AND ROAD PROGRAM OF PROJECTS FOR  
FISCAL YEARS 2011-2015

---

**BACKGROUND:** At the March 19, 2008, City Council Meeting, Council adopted Resolution No. 2008-6603 approving the Regional Transportation Improvement Program (RTIP), Five-Year TransNet Local Streets and Road Program Projects, for fiscal years 2009-2013. The Program requires TransNet recipients to submit formal revisions or updates to the Five-Year plan every two years. The City's 2011 – 2015 RTIP street projects approval resolution is due to SANDAG not later than June 30, 2010.

Starting with Fiscal Year 2009, the TransNet Extension Ordinance became effective. The TransNet Extension Ordinance limited the maintenance expenditures on Local Streets and Roadway Program to a maximum of 30% of the total Local Streets and Roadway Program allocation. The remaining 70% of the allocated funds are to be expended on capital program expenditures.

**DISCUSSION:** The attached table (Attachment # 2) provides the estimated RTIP program allocation for the City of Imperial Beach for the five-year period (FY 2011-2015). Additionally, the table provides staff's recommended projects using the funds available from TransNet.

In Attachment # 2 the project "IB02 Street Maintenance 30%" allocation will be used to fund a portion of the Street Division Operating and Maintenance (O&M) budget. This is the budget that is limited to the 30% portion of the total TransNet allocation. The remaining 70% of the TransNet allocation is programmed towards Congestion Relief projects. Staff is working with the City Engineer to prepare the plans and specifications for many of the street improvements listed in FY 2011.

**ENVIRONMENTAL DETERMINATION:**

Approval of this budget plan is not a project as defined by CEQA. However, once a project has been designed using these funds, an environmental determination may be required.

**FISCAL IMPACT:**

The program allocation of TransNet funds is approximately \$2,895,000 plus \$436,000 ARRA funds plus \$461,534 cash on hand from previous fiscal years. Thus for the next 5-year RTIP budget cycle, the City has a total estimated revenue of \$3,792,534. TRANSNET is estimated to

return about \$600,000 less revenue to the City than was projected in the FY 2009-2013 Five Year budget cycle.

**DEPARTMENT RECOMMENDATION:**

1. Receive this report.
2. Open the Public Hearing.
3. Receive public comment.
4. Close the Public Hearing.
5. Discuss the CIP projects proposed for the 5-year CIP project – modify or accept the projects proposed.
6. Adopt the attached resolution (with modification if desired).
7. Authorize the Public Works Director to submit Resolution 2010-6887 to SANDAG.
8. Approve the Attachment 2 listed RTIP projects being added to and included in the City of Imperial Beach adopted 5-year CIP.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department recommendation.

  
\_\_\_\_\_  
Gary Brown, City Manager

**Attachments:**

1. Resolution No. 2010-6887.
2. 2010 RTIP City of Imperial Beach.

**RESOLUTION NO. 2010-6887**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, ADOPTING THE *TRANSNET* LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2011 THROUGH 2015**

**WHEREAS**, on November 4 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (*TransNet* Extension Ordinance); and

**WHEREAS**, the *TransNet* Extension Ordinance provides that SANDAG, acting as the Regional Transportation Commission, shall approve a multi-year program of projects submitted by local jurisdictions identifying those transportation projects eligible to use transportation sales tax (*TransNet*) funds; and

**WHEREAS**, the City of Imperial Beach was provided with an estimate of annual *TransNet* local street improvement revenues for fiscal years 2011 through 2015; and

**WHEREAS**, the City of Imperial Beach has held a noticed public meeting with an agenda item that clearly identified the proposed list of projects prior to approval of the projects by its authorized legislative body in accordance with Section 5(A) of the *TransNet* Extension Ordinance and Rule 7 of SANDAG Board Policy 31;

**NOW THEREFORE, BE IT RESOLVED** that pursuant to Section 2(C)(1) of the *TransNet* Extension Ordinance, the City of Imperial Beach certifies that no more than 30 percent of its annual revenues shall be spent on maintenance-related projects.

**BE IT FURTHER RESOLVED** that pursuant to Section 4(E)(3) of the *TransNet* Extension Ordinance, the City of Imperial Beach certifies that all new projects, or major reconstruction projects, funded by *TransNet* revenues shall accommodate travel by pedestrians and bicyclists, and that any exception to this requirement permitted under the Ordinance and proposed shall be clearly noticed as part of the City of Imperial Beach's public hearing process.

**BE IT FURTHER RESOLVED** that pursuant to Section 8 of the *TransNet* Extension Ordinance, the City of Imperial Beach certifies that the required minimum annual level of local discretionary funds to be expended for street and road purposes will be met throughout the 5-year period consistent with the most recent Maintenance of Effort Requirements adopted by SANDAG.

**BE IT FURTHER RESOLVED** that pursuant to Section 9A of the *TransNet* Extension Ordinance, the City of Imperial Beach certifies that it will extract \$2,081 from the private sector for each newly constructed residential housing unit in that jurisdiction to comply with the provisions of the Regional Transportation Congestion Improvement Program (RTCIP).



**BE IT FURTHER RESOLVED** that pursuant to Section 13 of the *TransNet* Extension Ordinance, the City of Imperial Beach certifies that it has established a separate Transportation Improvement Account for *TransNet* revenues with interest earned expended only for those purposes for which the funds were allocated.

**BE IT FURTHER RESOLVED** that pursuant to Section 18 of the *TransNet* Extension Ordinance, the City of Imperial Beach certifies that each project of \$250,000 or more will be clearly designated during construction with *TransNet* project funding identification signs.

**BE IT FURTHER RESOLVED** that the City of Imperial Beach does hereby certify that all other applicable provisions of the *TransNet* Extension Ordinance and SANDAG Board Policy 31 have been met.

**BE IT FURTHER RESOLVED** that the City of Imperial Beach agrees to indemnify, hold harmless, and defend SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims related to local *TransNet* funded projects.

**PASSED AND ADOPTED** by the City Council of the City of Imperial Beach at its meeting held on the 4<sup>th</sup> day of May 2010, by the following vote:

<b>AYES:</b>	<b>COUNCILMEMBERS:</b>
<b>NOES:</b>	<b>COUNCILMEMBERS:</b>
<b>ABSENT:</b>	<b>COUNCILMEMBERS:</b>

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**JAMES C. JANNEY, MAYOR**

**ATTEST:**

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**JACQUELINE M. HALD, CMC**  
**CITY CLERK**

## 2010 RTIP City of Imperial Beach

			FY2011	FY2012	FY2013	FY2014	FY2015	Total
			524,000.00	542,000	569,000	611,000	649,000	2,895,000
IB02	1	Street Maintenance 30%	157,200.00	162,600	170,700	183,300	194,700	868,500
IB12	2	Major St Improvementsb 70%	366,800.00	379,400	398,300	427,700	454,300	2,026,500
IB12	3	Stimulus funds Carry Over 70%	436,000.00					
IB12	4	Cash on Hand	461,534.00					
IB12	5	<b>Total</b>	<b>1,264,334.00</b>					
Yellow	1-11	3rd Street (I.B. Blvd to Elm Ave)	1,264,334.00					
Yellow	2-11	7th Street (Encina Ave to I.B. Blvd)						
Yellow	3-11	Adelfa Court (Oneonta Ave to Hemlock Ave)						
Yellow	4-11	Delaware St (Grove Ave to I.B. Blvd)						
Yellow	5-11	Arriba Ave (9th to Cul-de-sac)						
Yellow	6-11	Elder Ave (3rd to Seacoast Dr)						
Yellow	7-11	Elder Ave (10th to East City Limits)						
Yellow	8-11	14th St (Grove to Iris Ave)						
Yellow	9-11	Hemlock Ave (Adelfa Court to 10th St)						
Yellow	10-11	Daisy Ave (Corvina to Seacoast Dr.)						
Yellow	11-11	Grove Ave (Connecticut St to 8th St)						
Orange	12-12	Elm Ave Storm drain from Florence to Florida		\$ 379,400.00				
Orange	13-12	Calla Storm Drain (532 Calla to Rainbow)						
Green	14-13	9th Street overlay (Calla to I.B. Blvd)			398,300.00			
Purple	15-14	Elm Ave (7th to 10th)						
Purple	16-14	7th St (Encina to Palm Ave)				427,700.00		
Blue	17-15	Georgia St. (I.B. Blvd. to Fern St.)						
Blue	18-15	Donax Ave (13th St. to East City Limits)						
Blue	19-15	Donax Ave (2nd to 3rd St.)						
Blue	20-15	5th St. (I.B. Blvd. to Fern St.)						
Blue	21-15	Fern St. (5th St to Sports Park)						
Blue	22-15	Grove Ave. (Sports Park to Loudon Lane)						
Blue	23-15	Louden Lane (I.B. Blvd. to Grove Ave.)					454,300	